

# LAW LIBRARY JOURNAL

VOLUME 51

AUGUST, 1958

No. 3

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## CONTENTS

	Page
<i>The President's Page</i> .....	201
<i>The Law Library of Howard University, 1867-1956</i> ..... <i>A. Mercer Daniel</i>	202
<i>A Bibliography of the Tentative Drafts of the Restatements, 1951-1958</i> ..... <i>Erwin C. Surrency</i>	216
<i>Questions and Answers</i> ..... <i>Marian G. Gallagher and Mary W. Oliver</i>	219
<i>Current Comments</i> ..... <i>Lois Peterson</i>	228
<i>Membership News</i> ..... <i>Mary W. Oliver</i>	241
<i>AALL Announcements</i> .....	244
<i>New Books Appraised</i> ..... <i>Harriet L. French, Editor</i>	245
<i>Current Publications</i> ..... <i>Dorothy Scarborough and Virginia Dunlap</i>	265
<i>Checklist of Current State, Federal and Canadian Publications.</i> .. <i>Frances Karr Holbrook</i>	274
<i>Reports of AALL Officers, Committees and Representatives for 1957-1958</i> .....	289

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## PRESIDENT'S PAGE

An awareness of the significant role played by the American Association of Law Libraries in influencing law library policies, improving institutional standards and broadening the resources for legal research makes me approach the presidency of this Association with a deep sense of humility and a strong feeling of optimism. I am grateful for the opportunity which this assignment affords but at the same time am keenly conscious of my responsibility. Also, I am mindful of the Herculean accomplishments of a progression of distinguished past presidents and shall try to meet their challenges, if not with equal capacity, with a comparable resoluteness and a dedicated purpose.

My optimism is strengthened by a consciousness of the resourcefulness of the members of the Association and by a deep faith in our common destiny. The history of law librarianship in America is recorded in the unselfish efforts of thousands of men and women of varying backgrounds, experiences, and viewpoints. From this diverse assemblage, a common philosophy of dedicated service has been crafted, fashioned from the intellectual fibre of the legal profession; and it is upon the professional resources of my associates that our program will be built.

Although it is premature, at this time, to project a program, there is no better moment than the opening of a new term of office to recognize and acknowledge the need for a re-examination of our viewpoints and goals and for a rededication to our professional ideals. A re-evaluation of the A.A.L.L. as to structural pattern, program content, and membership quality seems in order for furthering improvement of organizational operations and fundamental policies of the Association, and for achieving more effective administration of law libraries.

Consistent with these objectives, selections have been made for the various committees with a view of providing maximum participation of our membership. Where possible, no member was assigned to more than one committee or representative position. In a few instances, however, dual appointments were unavoidable because of continuing programs which otherwise would have been adversely affected, or because there was a requirement that a member serve both on a committee and as a coordinate representative. In no case was anyone asked to participate as chairman of more than one committee. Individuals who evidenced interest in particular committees were given such assignments, within the limitations of a manageable committee structure.

Committed by a long tradition of devoted service to high principle and noteworthy accomplishment, may we approach our work of the coming year with renewed vigor and enthusiasm, for ours is, truly, a noble profession, if nobly pursued.

ERVIN H. POLLACK

# The Law Library of Howard University, 1867-1956

by A. MERCER DANIEL, *Law Librarian Emeritus*

Howard University

"In the youth of libraries as well as in the youth of individuals, not much thought is given to historical mementoes,"—so said the late Professor Frederick C. Hicks in his famous address entitled "Odor of Sanctity" delivered before the American Association of Law Libraries in New York on June 25, 1937. For this reason in later years often only very meager details of the early organization of our libraries come down to us. The founders of the Law School of Howard University were so busy in doing the things necessary to get the school started that little time was given to the recording of the details of this work. The work of the historian is therefore somewhat speculative. However, there always seems to be some reward in the way of fragmentary bits of facts for the one who searches and from these jigsaw bits a fairly accurate picture can generally be worked out. It has been necessary to adopt this method to give you a picture of our library in its infancy.

Three articles on the Law Library of Howard University were prepared with the intention of submitting them for publication. Each one was set aside because there was a wide gap beginning after the first eight years of the school's existence and extend-

ing for several years during which period no facts were uncovered. It seemed that all sources of information had dried up. There was one particular situation that could not be accounted for and that was why, during these first eight years, the Annual Reports of the University and the catalogues of the school show a number of small gifts to the Law Library which totaled over six hundred volumes, and then after this period the reports stated that the School of Law had no library at all. Your historian spent much of his spare time during the summer of 1955 trying to solve this problem. He is happy to report that his research has not been in vain.

In 1944, during one of the summer months, the Law Librarian was looking through some damaged books that were stored on the same floor of Founders Library (University Library) where the Law Library was located and discovered, among these, some old damaged law books. He got the permission of the University Librarian to examine these damaged books. He was told that the books came from the Old University Library (Carnegie Hall) and were damaged some years ago by having all the titles steamed off when a steam pipe broke in the basement of the building where they

were stored. The steam pipe was a considerable damage to the books. Unfortunately, the books were covered and burned and a part of the books were lost. In fact, many of the books were damaged.

Going to the damaged books, the job of the historian needed to be done. The history of the Law Library is mentioned in this catalogue. The first catalogue of the Law Library was shown to the Librarian (as was the case with the Law Library, the Librarian logged the books in the manuscript collection. The Librarian kindly transferred the Law Library catalogue with only a few of the books.

From the damaged books, the Librarian of the Law Library moved to the Old University Library in 1875 where the Librarian was. It is since then that the Librarian has had no more to do with the Law Library again with the building and the Librarian.

In order to get the Librarian of the Law Library to include the



were stored. The break in the steam pipe was not discovered until considerable damage had been done to the books. Upon examination it was discovered that while the bindings were burned and all titles lost, the contents of the books were in fair condition. In fact, none of the pages were damaged.

Going through these three thousand damaged books, book by book, was the job that yielded the information needed to piece out the gap in the history of the School of Law Library. Nearly all of the six hundred books mentioned in the early reports were in this collection and in addition the first catalogue of the University Library was discovered. This catalogue showed that the law library (such as it was) was a part of the University Library, though the books were catalogued separately and housed together in the main library. Upon this discovery the University Librarian kindly transferred all the law books to the Law Library, but of course kept the catalogue which was in one book with only a part devoted to the listing of the books of the Law section.

From these facts, so recently discovered, it is certain that the law library of the first eight years was not moved to the downtown location in 1875 when William Bascom was made dean. It is reasonable to assume that, since the Reports of the University after this period state that "the school had no library," the school started again with nothing and began to build another law collection.

In order to give a complete history of the library, it is necessary to include much of the history of the Law

School. The charter of Howard University, which was "An Act to incorporate the Howard University in the District of Columbia," approved March 2, 1867 (14 Stat. 438) states in Section 5 "That the University shall consist of the following departments . . . fourth Law." The first catalogue of the University for the year 1867 lists two law professors, John Mercer Langston and Albert G. Riddle. John Mercer Langston, who was dean, was a Negro and an ex-slave. He was highly educated, being a graduate of Oberlin College and of the Theological Seminary of Oberlin. The profession he chose was law. Such were the prejudices of the time, however, that no school would admit him on account of his color. Finally, Walker's Law School in Cincinnati, Ohio, recovered its senses sufficiently to allow him to pursue his studies within its walls and, with the aid of Judge Philemon Bliss, he became a successful lawyer practicing in Ohio. Albert Gallatin Riddle, who was also a lawyer in Ohio, had been a Representative in Congress from the State of Ohio from 1861 to 1864 and was the Corporation Counsel for the District of Columbia. When he was appointed professor of law he was practicing law in Washington, D. C. with offices at No. 3 Four and One-Half Street, N. W. In a "Bulletin of Information Concerning Howard University Law Department" issued in 1871, it is stated "The Law Department of Howard University was regularly organized January 6, 1869 under J. M. Langston, Esq. and Honorable A. G. Riddle, Professors, commencing with but six students." At the close of the session June 30,

1869, the number of students had increased to twenty-two. "The exercises of the Department are held in the Howard University Building at the head of Seventh Street where large and convenient rooms have been specially fitted up for the purpose of recitation, lectures and Moot Court."

The University Catalogue of 1869 states there were twenty-one students in the Law School and further states in reference to the Law Library that "It is hoped that through the liberality of friends an excellent law library will soon be obtained. Already several valuable contributions have been made by W. H. and O. H. Morrison of this city." (The Morrisons were book dealers.)

The catalogue for 1869-70 (the second year of the school) says "Through the liberality of friends and an appropriation by the Board of Trustees, the University has a library of well-selected elementary works on the law. Among the donors to our library, and for whose contributions we are very grateful, we would mention Messrs. W. H. & O. H. Morrison of Washington, D. C. and Messrs. A. S. Barnes & Co. of New York City." This catalogue shows the textbooks used by the first students as follows: *First Year Students*, Walker's *Introduction to American Law*, Blackstone's *Commentaries*, Kent's *Commentaries*, Smith on *Contracts*, and *Lectures on Law and Rhetorical Exercises*; *Second Year Students*, Greenleaf on *Evidence*, Hilliard on *Torts*, Washburn on *Real Property*, Parsons on *Bills and Notes*, Gould on *Pleading*, Adams on *Equity*, Bishop on *Criminal Law*, with lectures on Law and Moot Court; also

Bible exercises each Sabbath through the course. Mr. Langston, who was elected to professorship on October 12, 1868, is listed as dean and it was he that held the Sabbath Bible Exercises.

Fixing the exact locations of the Law Department and, of course, the law library has been a very difficult task. The "Historical Sketch of Howard University" in the catalogue of 1869-70 states, "As a preliminary measure, the Board leased a building at the head of Seventh Street and fitted it up for educational work, temporarily opening there the Normal and Preparatory Department in May 1867." Professor Walter Dyson in his book *Howard University, The Capstone of Negro Education, 1867-1940*, published in 1941, says on pages 44 and 45, "It was the Normal Department only which opened on May 1, 1867. This Department was opened in a large frame building on Georgia Avenue just below W Street on Pomeroy Street. This building has been used as a German Dance Hall and beer salon. . . . A night school was also conducted there." The sessions of the law school were conducted at night and it is reasonable to suppose that in 1869 when the law department opened, since none of the buildings that were constructed on what is now the campus were in existence at the time, the building previously mentioned as "at the head of Seventh Street" was this same frame structure on Georgia Avenue that Mr. Dyson has described. Boyd's City Directory for Washington, D. C. for 1869 gives the location of the Law Department as Seventh Street above the boundary.

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Florida Avenue was known as the boundary and Georgia Avenue begins where Seventh Street ends at the boundary.

Whatever library the University had at its beginning must have been located at this place at the head of Seventh Street, and since the law books were in the University library, our embryo law library must have had its conception in this building.

In the third Annual Report of the President of Howard University as of July 1870, we find that, "Through the liberality of the friends of the Department, a Law Library of about 300 volumes has been collected." There was, of course, no law librarian. The University Librarian was Danforth B. Nichols, who was appointed on April 8, 1867. There must have been a sort of self-service arrangement for issuing of law books since the catalogue of 1870-71 has this notice, "No degree can be conferred, however, until all books are returned to the library."

The Law Department began with a two-year course but the faculty soon changed it to three years. The trustees did not, however, approve the change and in the third year of its existence it went back to a two-year course and continued as a two-year course until 1898. The LL.B. degree was awarded those completing the two-year course. A post graduate year was added and the degree LL.M. was awarded those completing the extra year. Because of the situation that arose out of a difference of opinion between the faculty and the trustees, we had two sets of law students graduating in 1871.

The first law students to graduate

were ten in number. They graduated on February 3, 1871. This first commencement exercise of the Law Department was held in the First Congregational Church, Washington, D. C. In the Law Library of Howard University we now have the printed addresses of General O. O. Howard, President of the University, Senator Charles Sumner, Senator John Sherman, Attorney General H. T. Akerman and General William T. Sherman, made at this first commencement of the Law Department. It was noted too that the Honorable Horace Maynard of Tennessee "made some interesting and impressive remarks on this occasion." Is there another law school in this country that can lay claim to a more distinguished list of speakers at its first commencement? The Law Librarian is very happy to have the speeches of these distinguished gentlemen and the program of this first commencement in the Law Library.

There were three students to graduate at the second commencement of 1871 which was held at the "Chapel University Building" on July 30, 1871. This appears to be the first mentioning of the "Chapel University Building." It is presumed that since the "Main Building" on the campus was constructed about this time, the university library with the law section must have been moved to this building along with the other departments of the University, including the Law Department. These three graduates, as well as those who graduated on February 3, 1871, were admitted to the Bar of the District of Columbia on motion of Honorable A. G. Riddle.

The copy of the program of the

next, or third, commencement held on February 27, 1872 is of interest because it lists as one of the graduates Miss Charlotte E. Ray, a colored lady from New York. The President's Annual Report of June 15, 1872 says "The number of students graduating at the regular commencement on February 27, 1872 was ten. Of these, the name of Miss Ray deserves special mention, as she is believed to be the first lady ever graduating from any Law School of this country." She, with the other members of her class, was admitted to the Bar of the District of Columbia.

Now that the first law library of Howard University is about located and there is an estimate of the number of books, what works were included in these 300 volumes? The writer of this article has searched the library book by book in an effort to answer this question. The examination of the law books found by the writer in the University Library which he is certain were the first books received as gifts and purchases shows some interesting items. Early codes of the District of Columbia and compilations of the laws of the District of Columbia are among those found, including the Laws and Journals of the Assembly of the District of Columbia. Even a copy of the so-called "lost laws of the Assembly" that was the basis of the *Thompson Restaurant* case was found. It was rebound and used by the lawyers in that famous case.

A few of the other items found are as follows: "The Kansas Question, an Act Organizing the Territorial Government of Kansas," being a special message of President Pierce, 1856; *A Manual of Equity Jurisprudence*, by

Josiah W. Smith, 2nd American ed.; several volumes of *Journals of the House of Representatives of the Assembly of Illinois*; *Executive Documents of U. S. Senate, 41st Congress*; several volumes of *The Early Laws & Resolves of Massachusetts*; and, *History of the Common Law*, by Matthew Hale, 1779.

As regards the textbooks used by the first students previously listed, while copies of all these works are in our library, in no case is there evidence that they were among the first books. Some may have lost their identification through the rebinding process.

During the so-called "Lean Period" of Howard University (1875 to 1887) when the income of the University was so inadequate that the trustees could render little or no financial assistance to the Law Department, "The School of Law was moved to a 'downtown' location," probably at the law offices of some of the professors. For a time classes were held at 506 Fifth Street, N.W., the residence of one of the professors, General Reuben D. Mussey, who had commanded a colored regiment in the Civil War. He was professor from 1879 to 1880. The next location was at 509 Seventh Street, N.W., in a room over a store in the building that was later occupied by the Second National Bank. The third location appears to have been in a building at the corner of Ninth and D Streets, N.W., which was destroyed by fire. This building was called Lincoln Hall. The Boyd's City Directories for Washington give the locations of the Howard University Law School as follows: For the year 1883, at Ninth and D Streets, N.W.; for the year 1884, at Ninth and D Streets, N.W.; for the

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year 1885, at 409 Ninth Street, N.W.; and for the year 1886 at Ninth and D Streets, N.W. Since the Law Library was not moved from the campus and still remained in the University Library, this was the period when it was reported that "The school had no library." It is possible that the students used the books of the professors since the classes were held in their offices. This was the low-water mark of the Law Department and, of course, the library.

In 1887, the Law Department, including the law library (if any), was moved to a permanent home at 420 Fifth Street, N.W. General O. O. Howard gave \$10,000 for the foundation of the Law Department, which fund was used to purchase the building at 420 Fifth Street, N.W. (See Senate Report No. 304, 53rd Congress, 2nd Session, April 5, 1894).

In the records of the Board of Trustees of Howard University we found that in December 1889, a gift of 270 volumes of law books from the estate of James R. Hills of New York City was made to the School of Law Library by Miss Sarah B. Hills, executrix of the estate. A list of the books in this gift appears in the records of the Board.

In the year 1890 an effort to get the help of Congress to improve the law library was made. Public Resolution 35, approved August 18, 1890, provided "That the Librarian of Congress, the Librarian of the Senate, the Librarian of the House of Representatives and the Librarian of the Department of Justice be, and they are hereby authorized and directed to deliver to the dean of the Law Department of Howard University, for its

use and behoof, one copy of such law books as are now in the above-mentioned libraries which are extra or duplicate copies thereof that may be spared without injury to the public service: Provided: That there shall be left in each of said libraries not less than two copies of each book." We are told in Senate Report No. 304, 53rd Congress, 2nd Session, that "Pursuant to this law the president of the university, accompanied by the dean of the law department, called upon the various librarians embraced by the act, but obtained nothing from any of them."

The above-mentioned Senate Report states, "Senator Hoar wrote a circular letter to the editors of the Boston newspapers and the New York City newspapers asking for gifts. He said, 'The Library is sadly deficient—hardly large enough for a young lawyer beginning practice'." This appeal appeared in the papers about the 8th of January, 1894. "No response of any moment having as yet been made to it, the faculty expects none."

In 1893, through the efforts of the alumni and friends, whose names appear in Senate Report No. 304 of April 5, 1894, \$12,000 was spent on rebuilding or remodeling the building at 420 Fifth Street, N.W., in which one room was fitted for a library. Senator Evarts was the mainspring of this effort and the building was named for him. The housewarming banquet was held on May 30, 1893, at which the first law librarian presided. An account of this appears in *The Colored American* of June 3, 1893.

William H. Richards, who was appointed to the faculty in 1890, was designated as librarian in the cata-



logue of 1894. He served until 1921. The front room on the third floor of Evarts Hall was Professor Richards' classroom as well as the library. There appears to be no record of the number of books in the library at the time Professor Richards became librarian, nor do we have any record of the gifts made to the library during his administration. The first catalogue of the library was compiled under Professor Richards between 1912 and 1914. The library has this catalogue. It was typewritten on very good paper and bound. By actual count there are 3,699 volumes listed in this catalogue, although Professor Richards, in a report to President Durkee in 1920 and again in 1921, reported that there were only 3,000 volumes in the library. These figures, of course, were estimates only. There must have been more than 3,000 volumes for it was hardly possible that 699 volumes could have been lost or stolen in that time, especially considering how carefully Professor Richards guarded these books. (This from a former student who knows.) From this, the only catalogue coming down to us, we find that many of the standard works of the law of that period were included. There was a fine collection of works on International Law. Some of these early works have become more valuable as the years went on.

In 1921, Mr. James C. Waters, Jr. was appointed Secretary, Librarian and Professor of Law. He served as librarian to 1932. He took over a library of over 3,500 volumes. In the summer of 1923 an estimate of 3,500 volumes was made, for it was during this summer that the books were

moved to the University Campus while improvements were made in the building that resulted in new quarters for the library with additional space at a cost of \$16,000. The library then consisted of one large reading room with stacks and the old room as a stack room.

The growth of the library by volumes during the time Mr. Waters was librarian is as follows: (These figures taken from actual counts made by the assistant librarian) March 17, 1924, 4,427 volumes; October 8, 1924, 5,020 volumes; March 9, 1925, 5,100 volumes (letter to Dean Richardson); June 30, 1926, 6,566 volumes; December 28, 1927, 8,029 volumes; June 30, 1929, 11,509 volumes. (See report to the American Bar Association).

Among the gifts received during Mr. Waters' administration was the library of the late Mr. Henry E. Davis, consisting of 686 volumes. Among them were many of the books belonging to the previously mentioned Professor A. G. Riddle, the first teacher appointed along with John Mercer Langston, the first dean. They included Burn's *Abridgment*, 1st ed., Burn's *Justice*, Comyn's *Digest of English Law*, Coke's *Institutes*, Hawkins' *Pleas of the Crown* and Burlamaqui's works, *Principles of Natural Law* and *Principles of Politic Law*. All these works and others bear the name of A. G. Riddle.

There are two items in this library that appear to be of some historical interest. They are the two volumes of Burlamaqui's works. In addition to these being first editions of these works, it is believed that these volumes were used by the noted spy,

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Major André, as one of his code books. His signature appears in the books along with certain marked paragraphs in his handwriting with pen drawings and other marks in the same handwriting. It is well known that André was a pen artist. One of his drawings is in the Yale Library. These books were taken to Yale by the writer of this article to make a comparison of the writing. His signature in the books has been compared with a facsimile of his signature appearing in Benson J. Lossing's *Pictorial Field-Book of the Revolution*.

In 1923, A. Mercer Daniel was appointed Special Assistant to the Librarian and in 1924 was made Assistant Librarian. In 1928, a special library committee was appointed to make a survey of the library. This committee made three reports and recommended many improvements. As a result of a previous survey, \$3,000 was spent in 1925-26 on books. \$2,500 of the sum was given by Mr. Julius Rosenwald and \$500 was raised by the alumni and friends. The purchase of the *National Reporter System* was made from this fund. On September 20, 1928, the library committee made its third report. During this year the Laura Spellman Rockefeller Memorial contributed \$20,000, \$15,000 of which was to be expended at once and the balance to be used at the rate of \$1,000 per year for five years. Out of this fund 1,400 volumes were purchased, as well as steel shelving. The chief object of this expansion was to bring the library up to the standards of the Association of American Law Schools. On May 4, 1931, the American Bar Association entered the School

of Law on its approved list, the law library having been raised to meet its standards.

Many other valuable gifts were received under Mr. Waters' administration. Among the other donors were the firm of Ralston, Richardson and Siddons, Professor Dion S. Birney (gift containing many books belonging to his father, Professor A. A. Birney), Justice Frederick K. Siddons, Justice Wendell P. Stafford, Mrs. Mary Church Terrell (Judge Terrell's books), Mrs. Wells and Mrs. Mason N. Richardson, wife of former Dean Richardson.

In September 1931, Mr. Waters was granted leave of absence for the purpose of study and A. Mercer Daniel, Assistant Librarian, became Acting Librarian. On September 1st he took over the administration of the library. On October 1, 1931, an inventory of the books showed that there were 14,008 volumes in the library. In November 1931, the Acting Librarian made a visit to the law libraries of the University of Pennsylvania and Columbia University for the purpose of study of their methods.

In July 1933, the library was admitted to the American Association of Law Libraries and the Acting Librarian attended the annual meeting in Chicago in October 1933, being the first colored member to be admitted.

The growth of the Law Library by volume content during the writer's administration was from 14,008 volumes in 1931 to 50,707 volumes on June 30, 1956. Among the larger gifts received during this period was the gift of Mr. James Marshall of the rare English Reports collected by his father, Mr. Louis Marshall. This gift

consisting of 1,500 volumes was received in 1935. Another notable gift was that from the family of the late Samuel Untermyer consisting of 1,691 volumes, many of which were greatly needed and all of which are now in use. The 179 volumes containing the briefs and records of cases on appeal in which he was the attorney formed a valuable part of this gift.

A large gift of 1,600 volumes of New York and other reports was received from the estate of the late Max Steuer on April 16, 1941. A unique gift was received in 1934 from one of our former students, the late Archibald Runner. This consisted of 128 volumes of the reports, legislative journals, Supreme Court reports and the laws of Cuba covering the period of the American Occupation under the Provisional Governor, Charles E. Magoon. These were the Provisional Governor's books beautifully bound with his name engraved in gold on each volume. Mr. Runner was employed by the Governor who gave the books to him when he returned to this country.

Perhaps the most outstanding gifts, both from point of interest and usefulness of content, are the Charles Evans Hughes gifts. These gifts, which total over 3,000 volumes, include volumes that belonged to the former Chief Justice and those from the estate of his son, the late Charles Evans Hughes, Jr. After the death of the Chief Justice, his son, Charles Evans Hughes, Jr., and his daughter, Mrs. Chauncey M. Waddell, made two gifts of books from their father's estate. Later C. E. Hughes, Jr. died and his wife gave us a large gift of books

which included many volumes that were a part of the Chief Justice's estate.

From the standpoint of usefulness for immediate student use, these were of exceptional value to us. They included *Corpus Juris* and *Corpus Juris Secundum*, *American Jurisprudence*, *U. S. Code Annotated*, all complete to date of gift, a complete set of the *Federal Reporter*, a set of the *New York Supplement* and a large number of the *New York Reports*, all in very good condition.

Of historical interest are the records of the World Court of which the Chief Justice was a member, all of these being bound with the name "Hughes" stamped on each volume. A large part of this gift includes a large collection of books on International Law.

Among the volumes from the library of the Chief Justice are hundreds of books covering a wide variety of subjects. Many of them are autographed books presented to him by the authors. Of course, there are hundreds of volumes with his own signature in them, including one that he signed as a child "To papa from Charlie."

The Librarian was very happy that the Hughes family decided to include as a part of the gift the fine bust of Lincoln by George E. Bissell that the Chief Justice kept on a shelf facing him as he sat at his desk in his home, his favorite picture of Lincoln that hung on the wall of his office and the two hands of Lincoln done by Volk and mounted on wooden plaques with silver plates showing they were given to him by Isaac N. Seligman. These two casts of Lincoln's hands always

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occupied a place on his desk, the left hand to his left and the right hand to his right. The framed certificate, which was a part of the gift, states that the casts were made from the life casts by Leonard W. Volk in 1850.

In the gift from Mrs. Charles Evans Hughes, Jr. was a set of books, the complete works of Abraham Lincoln, prepared by the Lincoln Memorial University as sponsor and editor. This set was No. 506, "Specially prepared for Charles Evans Hughes," and signed by the Chancellor of the University.

When a good friend of the Law Librarian, the late Professor Eldon R. James of Harvard University, was appointed Law Librarian of Congress, his attention was called to Public Resolution 35, approved August 1890, referred to above. Professor James said he thought it was time that the Librarian of Congress should make some effort to comply with this resolution, and as a result he ordered that some duplicates in the Law Library of Congress be transferred to us. It was he, while Law Librarian of Harvard University, who made a large gift to our library from the duplicates in the Harvard Law Library.

It is interesting to note that while this early resolution of Congress has "yielded nothing" in recent years, many of the other departments of the Federal Government have turned over to the Law Library many duplicates and surplus volumes which we have been able to use to a great advantage. The largest gift of this kind was from the Federal Security Agency under which Howard University was listed as part of the Federal Government. Of course, that agency was transferred to

the Department of Health, Education and Welfare, of which Howard University is now a part.

During the administration of the writer, the most outstanding purchase was one book bought at a secondhand bookstore in New York. The binder's title was "Lawyers and Law Students by Riddle." Upon examination it proved to be the eight lectures of A. G. Riddle delivered to the first class of Howard Law School and dedicated to the first graduating class of Howard Law School. It was privately printed by Riddle in 1873. This is a presentation copy to the Honorable Richard H. Alvey, Chief Justice, Court of Appeals, District of Columbia. The writer had no previous knowledge of the existence of such a book and, of course, there was no copy in the library. Can anyone top this for a first—first lectures by the first teacher to the first class and dedicated to the first graduating class of Howard Law School?

Another association item was by way of a gift from a student, Mr. Paul Washington. It was Robert Brooke's *La Grande Abridgment* printed by Richard Tottell in 1576. This volume was once the property of the late Professor William H. Richards, our first law librarian, and bears his autograph.

Among the larger gifts to our library were those of Mr. F. Regis Noel—267 volumes; Judge Irvin Undermeyer—352 volumes; and Mrs. Turnage—538 volumes in memory of her late husband, Commissioner Needham C. Turnage, U. S. Commissioner for the District of Columbia, and who at one time delivered a series of lectures to the students of Howard University

Law School. These volumes were from her husband's library. The library received from the estate of Hon. Louis Ludlow, a former Congressman from Indiana, a complete set of the *Congressional Record* covering the long period he was in Congress, along with many other useful items. Included in this gift was a bust of George Washington, mounted on a fine mahogany pedestal. In 1955-56, by the will of the late Roy S. Bond, who was a prominent attorney in Baltimore, Maryland, and one of our distinguished graduates, his entire library was left to the Law Library of Howard University. Some of the larger items of this gift are a complete set of the *Maryland Reports*, the *Maryland Code*, latest edition, *Corpus Juris Secundum*, the *Maryland Digest* and the *Maryland Reporter*.

On October 23, 1931, the writer was appointed a member of the Law Faculty Committee for a five-year program for the School of Law. He was assigned that section of the plan covering the library. His report was submitted on February 12, 1932, and pursuant to this plan he started the first card catalogue of the library. He had as his student assistant a very capable young man by the name of Thurgood Marshall, who has since his graduation made quite a name for himself. The first card catalogue of the library was completed with his able assistance. All books were accessioned and a system of keeping library records was established, along with some other improvements.

In December, 1931 the School of Law was admitted to probationary membership in the Association of

American Law Schools, and after further improvements in the library another inspection was made in November, 1933. On the report of this inspection the school was admitted to regular membership. This report stated that the library was well-housed, in good condition and well cared for.

In December, 1935, during the Christmas holidays, the Law Library was moved from 420 Fifth Street, N.W., to the second floor of the Old Dining Hall on the University Campus. The 17,000 volumes were moved without any interruption in the work of the school and all volumes properly arranged in one week.

In 1938, the library was again inspected by a representative of the Association of American Law Schools. The inspector reported that the library met all the requirements of the Association.

In March, 1939, in response to a request from the president, the faculty of the School of Law submitted a report on a program for the School of Law for the next ten-year period viewed in light of the twenty-year program for the University, projected in 1928. The Acting Librarian prepared the material on the law library for the report. The recommendations regarding the library in this report were the objectives of his administration of the library.

On September 1, 1940, A. Mercer Daniel was appointed Librarian and Assistant Professor of Law, his teaching assignment being Legal Bibliography. An office was made for the librarian just off the reading room.

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were discovered among the 23,310 volumes in the library. Display cases were set up in the reading room and in the librarian's office for exhibition of these books. Many were found to be first editions and many in the class of rare books. Some of the books that belonged to the former Dean Leighton were discovered.

An interesting discovery was a law book written by one of our graduates, Mr. Alfred Bonito Cosey, Class of 1899. The work was *American and English Law on Titles of Record*. It was published in 1914. The copy found was an autographed one presented to the library in 1915.

The following is a list of other books written by our graduates:

Mr. William E. Lilly, Class of 1909, wrote a life of Abraham Lincoln called *Set My People Free*, published by Farrar and Rinehart in 1932. An autographed copy of this book is in the law library. Mr. Walter H. Mazyck of the Class of 1922 wrote a book on George Washington called *George Washington and the Negro*. It was published in 1932 by the Associated Publishers, Inc. Mr. Fitzhugh Lee Styles of the Class of 1925 compiled a work entitled *The Negro and the Law*, published by the Summer Press, Philadelphia, Pa. Copies of these works are in the library.

In 1950, one of our graduates, Pauli Murray, published her first book—a compilation of race laws and cases entitled *State Laws on Race and Color*. An autographed copy of this work is in the library. Miss Murray has recently written another book—the story of an American family entitled *Proud Shoes*, published by Harper. It was

reviewed in the book review section of the *New York Times* on October 21, 1956, and the reviewer described it as a "gallant book."

When the law library was moved to the large room on the second floor of the Home Economics Building it was thought to be a fine location. It soon developed, however, that this choice was not as desirable as was expected. The room was a beautiful one, with a high ceiling and large windows on three sides and more than half of the fourth side of the building. Because of this there were no walls against which book shelves could be placed.

In order to house the now fast growing library, steel shelving was placed in the center of the room, leaving space for large tables on two sides of the room next to the windows, one side being next to "the lake" which is the city reservoir. The view from the windows was beautiful in the day and even more beautiful at night when there was a moon reflected in the water.

Because of the tremendous weight of the shelves in the center of the room, they were placed far apart with over ten foot aisles between them. When it was later discovered that more shelving was needed and that it would be necessary to move the shelves closer together, an engineer was called in to determine if the floor of this room would hold this extra weight load. It was then discovered that the floor was already over-loaded and some books were removed to relieve this strain on the floor. It was at this point that the authorities began to look for a new location for the School of Law.



While the University administration was being pressed on all sides for a new building for the School of Law, it was decided, as a temporary measure, that since so much space in the large new Founders Library (University Library) was not being used, the School of Law could move into this space until its building could be erected. This space consisted of one entire floor—the third floor and part of the ground floor below the first floor. So in November, 1943, the School of Law was moved to this location. The library occupied a large room on the third floor with offices for the professors and the law librarian on the same floor. The Dean's office and the classrooms were on the ground floor. Though this location was certainly not an ideal one, the library reading room was a fairly comfortable room once you climbed the four flights of stairs to it. When the move was made to this building there were 29,440 volumes in the library.

During the first part of the writer's administration as law librarian, the only assistants employed in the library were students. The job was generally given to the top senior student. There was no guarantee that the student graded at the top would also prove to be the best employee for library work. So in some instances the top student was not selected. In some cases even a second year student was selected. During the first years of his administration when he had to depend on student help exclusively, the writer was very fortunate in his selections. He wishes here to acknowledge a debt he owes to Mr. Thurgood Marshall, who was his assistant for

two years. He was the most efficient and willing worker of all the students employed.

Your writer must acknowledge that he took some pride in the fact that three of the famous School Segregation Cases decided on May 14, 1954 were argued by three of the men who were formerly student assistants of his in the law library. They are Mr. Thurgood Marshall, Mr. Spottswood Robinson, III and Mr. Robert Carter.

The person with longest service as an assistant in the law library is Mr. Matthews C. Till. Mr. Till first worked as a student assistant and later was employed permanently as a full-time assistant. In addition to helping to get the accession work up to date, he has done the work of a reference librarian.

On June 30, 1956, the writer was retired as Law Librarian and appointed Librarian Emeritus. At the annual meeting of the American Association of Law Libraries in Philadelphia in June, 1956 he was elected to life membership in that organization. Miss Cynthia Straker was appointed Law Librarian on July 1, 1956. It is believed that she will successfully carry forward the work of building a better law library.

In August, 1956, the Law Library moved into the new law school building. The first job of the Librarian Emeritus was to assume the supervision of the moving of the law school to the new building. Since the contract for the building included new furniture and equipment, the moving of the offices was considerably reduced. The major job was the moving of the 50,707 volumes.

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The new Law Library reading room is on the ground floor with the Librarian's office and the office of the assistants on a split one-half floor above the reading room. The outer office is enclosed in glass, giving a full view of the reading room. There are no book shelves in the reading room, but there are open shelves leading off the reading room with stacks sufficient for about 50,000 volumes.

In the space under the long serving counters and in the space behind the counters are shelved the encyclopedias and other search books. The serving counter covers the space in front of the reserve book section. The reserve book section has shelving for about 25,000 volumes and in the rear of this section are the individual carrels that are assigned to students working on the Law Review or on some other special project. The control of this room is from the serving counter where each student must register before entering. The only entrance to the reserve books is by way of the serving counter.

On the next stack level is the mezzanine stack space for about 75,000 volumes and on the first floor is the new faculty library stack room which has been set up with many of the duplicate sets which have been accumulated over the years. It contains a full set of *U. S. Reports*, the *Federal Reporter* and the *Federal Supplement*, the *U. S. Code Annotated*, *Corpus Juris* and *Corpus Juris Secundum*, *L.R.A.* complete and *A.L.R.* com-

plete, the *New York Supplement*, the *New York Reports* complete, and some other units of the *National Reporter System* that are not yet complete to date. The faculty reading room is opposite the stack room. It contains some shelving for a limited number of books. The three stack rooms are connected by stairways and an elevator.

On the same level with the Librarian's office is the conference or smoking room used by students. No smoking is permitted in the library reading room or stacks.

The school opened its 1956-1957 year in the new building on September 10, 1956, although much of our new furniture and equipment had not been delivered. In fact, over a year passed before the building was completely equipped. Because of this delay, our formal opening and dedication was postponed.

After the President of the United States issued his proclamation designating May 1, 1958 as "Law Day," it was decided to make the dedication a part of our observance of Law Day. This was done with appropriate exercises throughout the entire day. Many of our graduates and friends and many distinguished guests were present.

The writer will be very happy to greet members of the American Association of Law Libraries and conduct them on a tour of the building any time they may be pleased to call.

# A Bibliography of the Tentative Drafts of the Restatements, 1951-1958

by ERWIN C. SURRENCY, *Librarian*  
Temple University Law Library

This bibliography is a supplement to *A Bibliography of the Tentative Drafts of the Restatements*.<sup>1</sup> The purpose here is to list the tentative drafts considered by the American Law Institute at its annual meetings since 1950.

During this period the Institute has undertaken a revision of all the *Restatements* with the exception of the *Restatement of the Law of Property*. In addition, it has undertaken to restate the law in two new areas, Foreign Relations and the Model Penal Code. The *Restatement of the Law, Second: Agency* is now completed and the new volumes will appear during the fall of 1958. Also, the *Restatement of the Law, Second: Trusts* is completed but no announcement has been made concerning its publication.

The *Uniform Commercial Code* was a joint project of the American Law Institute and the National Conference of Commissioners on Uniform State Laws. Since the drafts of the *Uniform Commercial Code* were considered at the meetings of the American Law Institute, they have been included in this bibliography. The Model Rules of Evidence, as adopted by the National Conference of Commissioners on Uniform State Laws, were based upon the *Model Code of Evidence*

written and approved by the American Law Institute. The Institute gave its approval to the Model Rules of Evidence, which have been reprinted in pamphlet form from the 1953 *Handbook of the National Conference of Commissioners on Uniform State Laws*. Since the Rules were not the work of the Institute, bibliographical details concerning them have been omitted.

On each of the tentative drafts, at the head of the title, is the caption The American Law Institute. This caption has been omitted from the entries in this bibliography. The names of both the American Law Institute and the National Conference of Commissioners on Uniform State Laws appear at the head of the title of the *Uniform Commercial Code*; these also have been omitted from the entries in this bibliography.

This bibliography, unfortunately, does not include a listing of the Annual Reports of the Director of the American Law Institute or the programs of the annual meetings, both of which are useful. Further bibliographical work must be done on each of these items before a bibliography will be feasible.

An error in the first bibliography has been called to the compiler's attention. Under Conflict of Laws ap-

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pears the following entry: "Tentative draft no. 6 is discussed in 7 Proc. A.L.I. 265, but a copy was not available for describing here."<sup>2</sup> After further research, it is definitely established that there was no Tentative draft no. 6 of Conflict of Laws; this entry referred to Tentative draft no. 6 of Contracts which was discussed in 7 Proc. A.L.I. 265.

### *Agency*

Restatement of the law continued. . . . Tentative drafts no. 1. Agency, Conflict of laws, Trusts. May 1, 1953. viii, 99 p.

Restatement of the law continued. . . . Tentative drafts no. 2. Agency, Conflict of laws. April 22, 1954. viii, 127 p.

Restatement of the law second. Agency. . . . Tentative draft no. 3. . . . April 1, 1955. 287 p.

Restatement of the law second. Agency. . . . Tentative draft no. 4. . . . April 19, 1956. xii, 333 p.

Restatement of the law second. Agency. . . . Tentative draft no. 5. . . . April 19, 1957. xi, 98 p.

This completes the Restatement of the Law, Second: Agency. The final edition is now in preparation and will be available in the early fall.

### *Conflict of Laws*

Restatement of the law continued. . . . Tentative drafts no. 1. Agency, Conflict of laws, Trusts. May 1, 1953. viii, 99 p.

Restatement of the law continued. . . . Tentative drafts no. 2. Agency, Conflict of laws. April 22, 1954. viii, 127 p.

Restatement of the law second. Conflict of laws. . . . Tentative draft no. 3. . . . April 19, 1956. viii, 123 p.

Restatement of the law second. Conflict of laws. . . . Tentative draft no. 4. . . . April 5, 1957. xii, 147 p.

### *Federal Income Tax Statute*

Federal income tax statute. Tentative draft no. 4. . . . April 24, 1951. xvi, 374 p.

Federal income tax statute. Tentative draft no. 5. . . . May 1, 1951. x, 303 p.

<sup>2</sup> 44 L. LIB. J. 16 (1951).

Agenda for discussion of provisions on partnerships and partners in tentative draft no. 5. 24 p.

Federal income tax statute. Tentative draft no. 6. . . . May 5, 1952. xviii, 468 p.

Federal income tax statute. Tentative draft no. 7. . . . May 14, 1952. xiv, 500 p.

Agenda for discussion tentative drafts no. 6 and 7. May 1952. 23 p.

Federal income, estate and gift tax statute. Tentative draft no. 8. . . . Subject covered: Gift tax. May 8, 1953. vii, 54 p.

Federal income tax statute. February 1954 draft. Volume I. . . . February, 1954. xxxii, 460 p.

Federal income tax statute. February 1954 draft. Volume II. . . . February, 1954. xvi, 506 p.

Federal income, estate and gift tax statute. Tentative draft no. 9. . . . Subjects covered: Gift tax; Estate tax. May 7, 1954. xi, 164 p.

Federal income, estate and gift tax project. Comparison of the American Law Institute. February, 1954. Income tax draft and 1954 Internal Revenue Code. February 1, 1955. 30 p.

Federal income, estate and gift tax statute. Tentative draft no. 10. . . . April 30, 1955. xi, 266 p.

Federal income, estate and gift tax statute. Agenda for discussion tentative draft no. 10. . . . April 30, 1955. 8 p.

Federal income, estate and gift tax statute. Tentative draft no. 11. . . . April 24, 1956. xii, 228 p.

Federal income, estate and gift tax statute. Agenda for discussion tentative draft no. 11. . . . April 24, 1956. 8 p.

Federal income, estate and gift tax statute. Report for 1956-57. . . . May 14, 1957. 40 p.

Report for 1957-58. Income tax problems of Corporations and Shareholder. . . . May 14, 1958. 78 p.

### *Foreign Relations*

The Foreign relations law of the United States. A Restatement. . . . Tentative draft no. 1. . . . April 26, 1957. xi, 59 p.

The Foreign relations law of the United States. A Restatement. . . . Tentative draft no. 2. . . . May 8, 1958. xii, 278 p.

### *Model Penal Code*

Model penal code. Tentative draft no. 1. . . . May 1, 1953. viii, 119 p.

- Model penal code. Tentative draft no. 2. . . .  
May 3, 1954. xi, 155 p.
- Model penal code. Tentative draft no. 3. . . .  
April 25, 1955. viii, 63 p.
- Model penal code. Tentative draft no. 4. . . .  
April 25, 1955. xv, 302 p.
- Model penal code. Tentative draft no. 5. . . .  
April 27, 1956. xi, 187 p.
- Model penal code. Tentative draft no. 6. . . .  
May 6, 1957. xiii, 165 p.
- Model penal code. Tentative draft no. 7. . . .  
May 3, 1957. ix, 127 p.
- Model penal code. Tentative draft no. 8. . . .  
May 9, 1958. xi, 139 p.
- Model penal code. Tentative draft no. 8.  
Questions for discussion at the Thirty-fifth  
Annual Meeting. . . . May 21, 22, 23, and  
24, 1958. 1 leaflet.
- Tentative draft no. 2. . . . April 1, 1955.  
179 p.
- Restatement of the law second. Trusts. . . .  
Tentative draft no. 3. . . . April 24, 1956.  
xiii, 208 p.
- Restatement of the law second. Trusts. . . .  
Tentative draft no. 4. . . . April 19, 1957.  
xi, 70 p.
- This completes the Restatement of the Law,  
Second: Trusts. There has been no an-  
nounced date for publication of this new  
Restatement.

### *Uniform Commercial Code*

### *Torts*

- Restatement of the law second. Torts. . . .  
Tentative draft no. 1. . . . April 5, 1957.  
xi, 79 p.
- Restatement of the law second. Torts. . . .  
Tentative draft no. 2. . . . March 14, 1958.  
x, 86 p.
- [Memorandum on section 194 Tentative draft  
no. 2.] May 20, 1958. 18 p.
- Restatement of the law second. Torts. . . .  
Tentative draft no. 3. . . . April 18, 1958.  
x, 79 p.

### *Trusts*

- Restatement of the law continued. . . . Ten-  
tative drafts no. 1. Agency, Conflict of laws,  
Trusts. May 1, 1953. vii, 99 p.
- Restatement of the law second. Trusts. . . .

- Uniform Commercial Code. Final text edi-  
tion. November 1951. xxiii, 274 p.
- Uniform Commercial Code. Official draft.  
Text and Comments, 1952. xxxii, 816 p.
- Supplement no. 1 to the 1952 official draft of  
text and comments of the Uniform Com-  
mercial Code as amended by action of the  
American Law Institute and National Con-  
ference of Commissioners on Uniform State  
Laws at their respective meetings in 1954.  
January 1955. xii, 189 p.
- 1956 Recommendations of the Editorial Board  
for the Uniform Commercial Code. xxiv,  
315 p.
- Uniform Commercial Code. 1957 Official edi-  
tion. xxiv, 223 p.
- Uniform Commercial Code. 1957 Official text  
with comments. xxxii, 711 p.
- Note: This draft published by both the  
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the covers of the two printings vary.

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# Questions and Answers

Compiled by MARIAN G. GALLAGHER, *Librarian*

University of Washington Law Library

and

MARY W. OLIVER, *Librarian*

University of North Carolina Law Library

The compilers will attempt to find answers to questions regardless of their suitability for publication, and questions which seem to need immediate replies will be answered by mail prior to publication in the *Law Library Journal*. Address questions to Mrs. Kathleen G. Farmann, Assistant Law Librarian, Ohio State University Law Library, Columbus 10, Ohio, or John W. Heckel, Head Reference Librarian, Los Angeles County Law Library, Los Angeles 12, California.

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## Question:

Over a period of years on our storage shelves we have accumulated a dismaying number of replaced volumes of various publications: *Corpus Juris*, *Corpus Juris Secundum*, *Texas Jurisprudence*, *California Jurisprudence*, *Uniform Laws Annotated*, *Words and Phrases*, Bogert on *Trusts*, McQuillan's *Municipal Corporations*, Remington on *Bankruptcy*, many other treatise volumes, the *English and Empire Digest*, etc. Will you please let me know what the accepted law library practice is on the question of discarding replaced volumes? Some

of our faculty members have questioned the advisability of destroying them. In Mr. Surrency's article, *Weeding a Law Collection* (50 *Law Library Journal* 6-9, 1957) he did mention replaced volumes of the digests but not some of the other kinds we have; but in his *Book Selection for a Small or Medium Sized Law Library* (45 *Law Library Journal* 430-434, 1952) he said "... the librarian should weed his collection often, eliminating unused second copies of old books and discarding old books which have been replaced."

## Answer:

We are not at all sure that there is an accepted law library practice on the question of discarding replaced volumes, but there may be accepted procedures of different kinds for different kinds of libraries. Probably the key to Professor Surrency's failure to mention the practice of saving replaced volumes, in his 1952 article, lies in the "small or medium sized" portion of his title. Librarians who are aiming at a small or medium sized working collection for everyday needs will be anxious to clear the shelves of older editions. Librarians who are

building research collections, and who are willing and able to give shelf space to volumes which will be used seldom, but which have potential usefulness to the legal scholar or historian, will want to retain some which might be discarded from the working collection. Professor Surrency makes this distinction in his *Weeding a Law Collection*, at page 8: "Does the school need a research library or should the library remain a small working collection due to limitations of space or resources?"

Even though both of the Surrency articles are concerned with the overall policy of planned selection and retention, he does make a specific recommendation, in addition to the one (about replaced volumes of digests) you noted, that "Texts present little difficulty, as all libraries should preserve at least one copy of every text in the library. Thus, discard all second copies of books which are out of date." (*Weeding a Law Collection*, p. 9). Displaced volumes of treatises are in effect the same as older editions of single-volume texts, are cited in contemporary decisions, and in our opinion come under the Surrency instruction about preserving at least one copy of every text in the library.

If you were to follow his two specific instructions, you would discard your replaced *English and Empire Digest* and retain one copy of each of your displaced treatise volumes.

We are not sure whether replaced volumes of the *Uniform Laws Annotated* come under another of his specific recommendations (*Weeding*, p. 7): "Much law material may be found in many different sources, for there is

a great amount of duplication in many law books. For example, it would be unnecessary to keep a text which had only the statutes with annotations to court decisions when annotated codes are available, or several different copies of the texts of statutes, such as the *Internal Revenue Codes*, when available in the *Statutes at Large*." Not being sure, we save ours (this procedure is supported by another Surrency rule—*Weeding*, p. 7: "When in doubt, the best policy is not to discard until certain of the value or the probable value of the material.") The over-all picture of many jurisdictions' interpretations of the Uniform Laws may take the *U.L.A.* displaced volumes out of the duplicated-in-annotated-codes class.

Our own policy for selecting the volumes we shall retain after they have been superseded is based on the distinction between the search book and the expository book. The digest, as an example of the search book, is the universal most qualmless discard. It is intended as an index, is never cited, and we can think of no reason why anyone would want to consult an old digest when a newer edition, indexing everything which was indexed in the older edition, and indexing newer matter as well, is available. We fit the same discard-the-search-book theory to encyclopedias because we think that the encyclopedia too is primarily an index even though it is cited frequently by legal writers and even by the courts. We would save one copy of an entirely replaced encyclopedia (e.g., *R. C. L.*, *Cyc.*) If *Corpus Juris*-*Corpus Juris Secundum* were replaced by *Corpus Juris Tertium*, we

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would save one copy of the entire set on the theory that there might be an emphatic difference between the two editions (besides the fact that citations appear frequently), but we discard displaced single volumes at present, hoping that trends still will be discernible in the newer volume. Librarians who look upon the expository nature of the legal encyclopedia as equal to its search-book value would save displaced volumes just as they save displaced volumes of treatises.

*Words and Phrases* comes within our search-book classification, and we discard replaced volumes.

The justification for retaining superseded expository volumes lies in the fact that citations to corresponding sections in the later edition often are difficult to locate; more important, authors often change their emphasis, and sometimes their conclusions, between editions.

There are exceptions which must be made to any general rule, and usually there are specifics which refuse to fit. *Shepard's Citations* account for one of our exceptions, and statutes are our most prominent non-fitters. Under our policy, *Shepard's* displaced volumes should be discarded because they are search-books. The fact is that the newer editions cannot continue to carry forward all of the citations found in the earlier editions, notably in the statute sections. The Company's policy of allowing libraries to retain superseded volumes in their collections (with proper notation of the superseded status) makes it possible, and it seems a central library duty, to retain them for the limited use the older citations might have in the future.

Statutes become non-fitters because they fall into neither the search-book nor the expository class. We save displaced volumes of statutes, and explained why in an earlier edition of this column (47 *Law Library Journal* 148, 1954). Our reason for saving them would apply just as well to replaced looseleaf pages and pocket supplements; here we make another exception and throw them away merely because they create an abnormal housekeeping problem.

Many libraries make exceptions to their discard policies in the case of local publications. Both from the standpoint of the local historian and of the library's general users, who would expect to find complete collections of books relating to local law, it is wise to find a spot on your shelves for displaced volumes and editions of all kinds of law books published in your state or dealing specifically with the law of your state, no matter how little demand there apparently will be for them. (MGG)

2

Question:

For some years we have assumed that our library's collection is complete in reported decisions of all of the states, with the exception of a few volumes of Pennsylvania side reports which have evaded us. Recently a group of first-year students intent on preparing Legal Research and Writing memoranda discovered, through the Digest, a case which is apparently reported only in the *Ohio Supplement*. The digest paragraph convinced them that this was the only case absolutely essential to the solution of their

problem, so to bring an end to hysteria we obtained a photostat. Now we have the problem of deciding whether to add the *Ohio Supplement* to our want list, or whether we shall be safe in assuming that this will not happen to us more often in the future than it has in the past. Do the more complete libraries outside of Ohio usually include the *Ohio Supplement* in their collections?

Answer:

Before answering this question we changed our own "lack list," which had said that we lack *Ohio Supplement*, because all of the cases are reported elsewhere, in the *Ohio Law Abstract*, *Ohio Decisions*, *Ohio Nisi Prius*, etc. Then we checked back over the various published descriptions of Ohio court reports, including the "last word," the Pollack-Leach article in 11 *Ohio State Law Journal* 413-435 (1950), and found that none of them answer your question specifically. They note that the *Ohio Supplement* is in 17 volumes bound into various volumes of the *North Eastern Reporter, Second Series*, Ohio Edition, beginning with volume 30 and ending with volume 66, and that it reports cases from the *Nisi Prius* courts. We then wrote to one of our respected and communicative colleagues in Ohio, and confirmed the suspicion that there is no one source or combination of sources which will guarantee availability of all Ohio decisions, even though one might possess the *Ohio Law Abstract*, *Ohio Decisions*, *Nisi Prius Reports* and *Ohio Opinions*, and that the *Ohio Supplement* does contain some Ohio decisions not reported elsewhere. Our Ohio corres-

pondent made a cursory check of the Table of Cases in *West's Ohio Digest* and in *Page's Ohio Digest*, however, and concluded that the number of instances in which a case is reported only in the *Ohio Supplement* is probably too few to stimulate wide distribution of the set outside of Ohio.

We think that it may be safe to surmise that first-year studentia hysteria (our Ohio correspondent's name for it) will become epidemic from this particular cause no oftener in the future than it has in the past, but we realize too the devastating effect of even one occurrence. If your budget is up to prevention, the *Ohio Supplement* can be purchased at the regular *North Eastern Reporter* odd volume rate. Its 17 volumes are found in the Ohio Edition, *North Eastern 2d*, volumes 30-34, 36, 38, 41, 44, 47, 49, 51, 54, 57, 60, 63, 67. (MGG)

3

Question:

I need to know what is involved in the establishment of a law school library. I need to know approximately how many volumes would be needed for an initial and basic collection. I'm not particularly interested in titles at this time, although if a bibliography has been published I would like to know where and when it appeared. I need to know the estimated cost of starting a law school library, both as to initial cost and as to continuing cost.

Answer:

We can be definite about the number of volumes, and about continuing cost, but we know of no publication which hazards a lump sum estimate

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of the amount involved in the establishment of a law school collection. The cost of acquisition would vary greatly, depending upon quality, upon the knowledge and experience of the person responsible for purchases, and upon the number of generous donors who might present the new school with books and sets basic to the collection.

We assume that your goal would be a collection which would meet the standards set by the American Bar Association and the Association of American Law Schools. Meeting the A.B.A. standard comes first, because it is easier. The A.B.A. standard specifies that the school "shall provide an adequate library available for the use of the students." We are not able to cite the source in which the American Bar Association publishes interpretations of its Standards, but one of them is quoted in Tinnelly, *Part-time Legal Education* (Foundation Press, 1957) at page 227: "An adequate library shall consist of not less than 7500 well selected usable volumes, not counting obsolete materials or broken sets of reports, kept up to date and owned or controlled by the law school or the university with which it is connected. It is required that a five-year expenditure of \$3,000 per year on library additions be made, with a minimum expenditure of \$2,000 in any one year."

Requirements more specific than the A.B.A.'s, more extensive (20,000 as against 7,500 volumes) and more expensive, are set out in the Standards of the Association of American Law Schools, and are reprinted in each edition of its annual *Proceedings*. These Standards specify a book collec-

tion which is more complete than any but the most affluent schools could attempt to procure in one or two years, yet the list is a careful outline of minima not taking note of the need for duplication of titles as the use of the library increases. This need is noted in the requirement for maintenance of the collection—the A.A.L.S. Standards call for an annual expenditure of \$4,000 exclusive of the cost of reconditioning and binding, and an additional \$500 for "every 50 full-time students (or major fraction thereof) in excess of 100 full-time students, and for every 75 part-time students (or major fraction thereof) in excess of 100 part-time students enrolled . . ."

Expert advice on titles which should be acquired by a law school library is set out in the Report of the Special Committee on Library Collections, printed in both the 1954 A.A.L.S. *Proceedings* and the 1954 A.A.L.S. *Program and Committee Reports*. This Report, while going beyond the required Standards minima, offers excellent interpretation of the Standards themselves. It recommends specific titles in all of the required categories with the exception of treatises, and deserves study by anyone responsible for a law collection, regardless of the type of his library or the stage of its development. The recommended-treatise gap now is being studied by the Joint Committee on Cooperation between the A.A.L.S. and the A.A.L.L., and there is hope that an authoritative and useful list soon will be available to book selectors.

Another source of how-to-proceed information is Professor Arthur Pulling's *Planning and Building a Basic*

*Book Collection* (48 *Law Library Journal* 136-141, 1955). It will give you some ideas not only about the kinds of books which must go into the initial collection, but also about particular types which will be most difficult to obtain or which possibly might be acquired by gift (provided your community has interested donors).

Sometimes in the past we have presented our law librarianship students with an imaginary \$20,000 to \$25,000 and instructions to use it on imaginary purchase of books needed to fulfill the A.A.L.S. basic collection requirements. None of them ever has come close to the goal even with the advantage of being able to assume that the lowest second-hand listing found represents a set still available.

Recently we made an estimate of the cost of purchasing new, and keeping up to date, the following books: (1) the *National Reporter System* complete (an A.A.L.S. requirement); (2) the *American Digest*, beginning with the *Third Decennial* (the entire set is an A.A.L.S. requirement); (3) *A. L. R.* (an A.A.L.S. requirement); (4) current state statutory compilations for 48 states (A.A.L.S. requires 12 in addition to the home jurisdiction); (5) one legal encyclopedia (A.A.L.S. requires two); (6) *Index to Legal Periodicals* beginning with the 1949-53 cumulation (A.A.L.S. requires the set); (7) *Shepard's Citations*, complete (A.A.L.S. does not specify state citators, except for the home jurisdiction); (8) *U. S. C. A.* (an A.A.L.S. requirement); (9) *Code of Federal Regulations* (an A.A.L.S. requirement); (10) *Federal Register*, current sub-

scription (A.A.L.S. requires the set); (11) seven current legal treatises and two looseleaf services (A.A.L.S. requires 300 volumes); (12) current subscriptions to ten legal periodicals (A.A.L.S. requires 200 bound volumes in complete sets).

Our listing exceeds the requirements of the A.A.L.S. Standards only in state statutes and state citators. It falls short of the Standards in the particulars noted above, and in addition, omits these A.A.L.S. specified sets: (1) local publications: court decisions, session laws, digests, encyclopedias, attorney general reports, state bar reports, textbooks, treatises, practice books, form books; (2) the *Statutes at Large*; (3) U. S. Supreme Court and Federal digests; (4) published decisions of appellate courts, prior to the *National Reporter System*, in at least nineteen states in addition to the local state; (5) all American Law Institute *Restatements*; (6) one legal dictionary; (7) one unabridged general dictionary; (8) one good general form book; (9) *Words and Phrases*; (10) *English Reports, Full Reprint*; (11) *Law Reports* complete; (12) *Statutes of England*.

Yet the figure for purchase of the sets we listed (an estimate which must be labelled "approximate" and which does not take account of discounts for bulk purchases) was \$31,437.72. The estimated annual cost of keeping our listed sets up to date was \$4,390.00.

We conclude that establishing a law library is an expensive undertaking. We suggest that you may obtain more authoritative and more realistic discount-and-gift-adjusted figures from some of the law librarians currently

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or recently engaged in building new collections. (MGG)

4

Question:

Can you tell me where I could find a list of universities and colleges which require a loyalty oath or similar statement from the faculty and staff?

Answer:

I have been unable to locate any such list for educational institutions. The names of such universities might be compiled based on the statutes requiring these oaths for state employees and teachers. A listing of these statutes may be found in the following: (1) Gellhorn, Walter, *States and Subversion* (Ithaca, Cornell University Press, 1952) (Appendix A is a description of the types of statutes relating to subversion as of January 1, 1951, and Appendix B is a list of statutes by state as of January 1, 1952, p. 375 ff.); (2) Prendergast, William B., *State Legislatures and Communism: The Current Scene*, 44 *American Political Science Review* 556 (1950). This article cites the following two publications as being of help, but I have been unable to examine either: National Education Association, *Teachers' Oaths and Related State Requirements* (Washington, 1949), and National Education Association, *Local and State Restraints Upon Alleged Subversive Activities of School Employees* (Washington, 1949).

All of this material is dated, and I can only suggest that it might be brought up to date by the use of *Pub-*

*lic Affairs Information Service*, which indexes state statutes of this type or by going to the statutes themselves. (MWO)

5

Question:

Our university is doing some long range planning, and I have been asked about projected space needs of the library. I can find no statement of the present volume capacity of our building, nor do I know on what basis present or future capacity should be figured. Can you help?

Answer:

Book shelves and stack equipment are of more or less standard measurements. The book shelves are usually about three feet long. A shelf will be considered full when three-fourths of it is in use. In order to arrive at an accurate figure for shelf space it would be necessary to know the proportionate number of books of various sizes and types. Fortunately computations have already been made, and the results are available to us. From four to five volumes of law books can be accommodated per foot of shelf space. If your collection includes a large substantial proportion of material in the field of economics, history, and general literature, a figure of seven to eight volumes should be used for this class, while bound periodicals and documents generally can be shelved five volumes per square foot. There have been several discussions of this which will be helpful, including the two following: Jesse, William H., *Shelf Work in Libraries* 34-37 (Chicago, A.L.A., 1952), and Wheeler, Jo-



seph L. and Githens, A. M., *American Public Library Building* 412-415 (Chicago, A.L.A., 1941). (MWO)

6

Question:

We have just been given \$200 to be used for magazine subscriptions with the provision that the money be used to buy only nonlegal material. Can you suggest any titles we might order?

Answer:

There are many titles which would be both of interest to the student and valuable additions to the law library. Actually, titles chosen would be determined to a great extent by material already available. It might be worth considering the possibility of placing subscriptions for more than one year. This would be both less expensive and have more value to the library. The fields represented by the titles chosen should cover a wide range of interest in the area of the social sciences. Some titles that we feel might be of value are: *American Heritage*, *The Reporter*, *Harper's*, *Atlantic*, *Saturday Review*, *Time*, *U. S. News and World Report*, a good national newspaper and a journal of local history if it is available. There are several lists which include periodical titles classified by subject, among which are: Ulrich, *Periodical Directory*, 8th ed. (N. Y., Bowker, 1956); Ayer's *Directory of Newspapers and Periodicals*, published annually by N. W. Ayer and Son in Philadelphia; and *Faxon's Librarians' Guide*, published by F. W. Faxon Company, Boston 15, Mass., which is free on request. (MWO)

7

Question:

The members of our faculty are accustomed to putting quite a few titles on reserve for the use of our students. We no longer have sufficient space to take care of all these and our request that they limit their lists has not been effective. Have you any suggestions how we might cope with this?

Answer:

We have worked out a system for use in our library which seems effective both in keeping the reserves to a minimum and making it a live collection. Each semester we compile a list of all books on reserve for each course. At the end of the semester we have a good idea of the number of times each book has circulated. Since we have reserve book cards in each book, it is an easy matter to check the circulation statistics on individual titles which we feel should not be on reserve. This information is then given to the professor who is much more willing to remove the material when he has definite evidence that it is not necessary to restrict its use. (MWO)

8

Question:

During exam period we have a heavy run on certain titles in our reserve collection and in an effort to see that the use of these is fairly distributed, we have followed a practice of keeping a waiting list and holding books for those people on the list. This has the disadvantage of keeping the necessary titles out of circulation



for as much as two or three hours. Can you suggest any method by which each student gets a fair chance to use these books and at the same time not have them standing idle?

Answer:

A system that has proved to be fairly satisfactory for handling this problem involves the following procedure. When reserve books are charged out, the hour at which they are due is noted on the card. When all copies of one title are in circulation the next person requesting a copy is given the time at which one will be

returned. His name is attached to the book card and he is told that the book will be held for him only ten minutes after the time designated. If a book is returned early and there is a student waiting who has no reserve on any other copy, he is allowed to charge out the book, but the time at which that book is due is not changed. This is insurance that the book will be available to the student who was told to return for it. If the student for whom the book is being held does not return at the designated time his name is removed and the book is free to circulate. (MWO)

## CURRENT COMMENTS

Compiled by LOIS PETERSON, Assistant Librarian

Social Law Library  
Boston

*Cataloger's Camera.* The Council on Library Resources has awarded a contract to the Radio Corporation of America to construct a working model of the "cataloger's camera" previously designed by the Corporation under an earlier grant. Preliminary plans for the instrument, which were submitted on November 14, 1957, and thereafter evaluated by a number of librarians especially familiar with the technology of reproduction of catalog cards, provided for three optical systems—one for reproducing cards from full size masters, another for reproducing them from reduced-facsimile masters and still another for separate reproduction of added entries so such entries might be printed in different positions on the copy from those in which they appear in the source. The blueprints also specified that the camera should be able to reproduce from an original in either card or book form, e.g., the *National Union Catalog*. If all goes well, before long a cataloger will be able to copy catalog cards by a dry process of reproduction from a printed, typewritten or reduced-facsimile master, inserting headings and added entries in their proper places on individual cards during the copying procedure.

The working model will not contain all of these refinements. Its operation will be limited to reproducing

cards from full size masters only, without separate handling of added entries. The primary purpose of the model is to investigate the feasibility of the proposed reproductive method (Electrofax) as applied to catalog cards, and to show the time and cost involved as well as the quality of the product. If these matters are satisfactorily demonstrated, it is planned to add the other embellishments at a later date.

*Out-of-Print Books Reproduced.* University Microfilms, Ann Arbor, Michigan, has started a department for producing full size out-of-print books to meet the demands of librarians, individual scholars, educators and others for single copies of volumes that are out-of-print or otherwise unavailable.

Copyrighted as well as out-of-copy-right material is reprinted by permission. Already a large number of publishers have agreed in principle to permit reproduction of specific copyrighted titles. A book to be processed is supplied through the publisher to the library or scholar who has ordered it for, as far as the publisher is concerned, a 10 percent royalty.

To reproduce a volume, it is first photographed in its entirety on microfilm. The 35mm film negatives, in successive page sequence, are then run

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through the Xerox Copyflo machine, which turns out book-size photographs of these negatives on one side of a continuous roll of paper. This paper is automatically folded at each edge of each page, accordion style, so that the inside (gutter) folds can be glued together, and the outside folds constitute the edges of each pair of printed pages. A paper cover is put over the bound pages, and the book is trimmed top and bottom—but not at the front edge.

Charge for this service is three cents a page. Binding costs 70 cents per volume.

*"Congressional Record" Authenticity.* In an article in the April 30, 1958 *New York Times Magazine*, Senator Richard L. Neuberger of Oregon says "the public and history are entitled to a true account of what happens in Congress. But they won't get it as long as members may revise the transcript (of the *Congressional Record*) at will. . . .

"After a major debate in the Senate . . . I have seen many Senators sitting around a circular glass-topped table in the reporters' workroom, virtually rewriting the speeches and retorts just delivered on the floor of the Senate. Some will totally expunge comments made in the heat of debate that may seem indiscreet or unwise in the cold, gray light of the next dawn and in the inflexible type of the *Congressional Record*. . . . This entire process of addition and revision has impelled one Washington wit to suggest that a United States Senator, or his counterpart in the House, is evidently the only person on earth who

can sigh, 'I wish I'd said that,' and then say it!"

Senator Neuberger feels the *Record* should preserve legislative history as it is made so an executive agency or department of the government, later administering a law, will have fairly precise knowledge of what the author of an act had in mind. To the objection that removal of revision privileges might tend to cause lawmakers to refrain from voicing their real feelings, he says such restrictions are canceled out by obvious advantages if the record written on the Senate floor is final. "As I see it, the way to correct or improve an argument made in debate, if it proves to be inaccurate or reckless when read in type, should properly be in explanatory remarks spoken later on the Senate floor." Possibly members will count to ten before they give vent to personal abuse and character assassination if they have to account for their statements.

"The very masthead 'Congressional Record' ought to assure rigid fidelity to truth and circumstances. Why else should the government spend approximately \$1,700,000 a year to publish some 43,000 copies of the *Record*? For these reasons I have introduced a resolution to write into the rules of the Senate that 'no changes of substantive nature' can henceforth be made in the text of what is taken down by the Senate's staff of skilled shorthand reporters."

*Role of United States Supreme Court Law Clerks.* Printed in the May 6, 1958 *Congressional Record* (p. 7260-7261) are remarks by Senator

John C. Stennis of Mississippi concerning the services and influence of United States Supreme Court Law Clerks. He is convinced the volume of work handled during a Court term places a great deal of responsibility upon these offices and, in many cases, puts them in a policy shaping position.

"During the last term for which an administrative report is available—October 1955 term—1,644 cases were appealed to the Supreme Court. This means that the entire transcripts, court files, and briefs in this large number of actual cases had to be read and absorbed for the underlying issues to be understood. Of these, 82 cases were decided by the Court with full opinions by the individual Justices, and 12 opinions were prepared for the Court itself. In all, 1,630 cases were disposed of by the Court.

"The tremendous volume of work in reviewing these cases, as indicated by the above figures, could not have been done by the nine Justices during the term time. To carry this volume of work it is absolutely necessary that they have professional help.

"The only source of professional assistance is their law clerks. The volume of Court business outlined above indicates that the work of these young men must have been of a substantial legal nature. They must have played an important part in determining which cases would be considered by the Court; resolution of the issues presented; and the expression of the Court's opinion.

"These men could be occupying roles far more important than those occupied by many Under Secretaries and Assistant Secretaries whose ap-

pointments must be confirmed by the Senate. They could be making preliminary decisions in many instances as to whether or not certain landmark cases are to be heard by the Court. To the extent that they participate in shaping the work of the Court, they are deciding vital questions of national effect. Within the judicial branch, these are equivalent to policy-level decisions in the executive branch."

Senator Stennis' argument is that since, at the present time, these positions have no legal qualifications of professional licensing, experience or competence, it cannot be assumed the views and actions of these young men are characterized by wisdom, achievement or distinguished judicial service, or that they represent the tenor of the American people. He believes the Senate should fully explore the situation "with a view to establishing minimum qualifications for holders of these important posts by law."

(An article in complete disagreement with the above indictment appeared in the April 27, 1958 *New York Times Magazine*. It was written by Alexander M. Bickel, Associate Professor of Law at Yale University and a former law clerk of Justice Frankfurter).

*Law School Library Autonomy.* The Council of the Section of Legal Education and Admissions to the Bar (American Bar Association) recently added the following paragraphs to its pamphlet on educational standards, under the heading "Law School Autonomy Over the Law Library."

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process of the law school. To assure maximum contribution to this process it should be administered by the law school as an autonomous unit, free of outside control. Exceptions are permissible only where there is preponderance of affirmative evidence in a particular school, satisfactory to the Council, that the advantages of autonomy can be preserved and economy in administration attained through centralizing the responsibility for acquisition, circulation, cataloging, ordering, processing, or payment for books ordered. Cooperation between the law library and the general library is always to be encouraged.

"The law librarian should be appointed on recommendation of the dean after consultation with the law faculty. He should be directly responsible to the dean. Other members of the library staff should be appointed on recommendation of both the librarian and the dean. However, any appointment that entitles the holder to faculty rank should be made only after approval by the faculty. When the law library is autonomous, the staff should be administratively and fiscally a part of the law school."

*Problems of Private Law Libraries.* Librarians who work in law libraries supported by membership fees will enjoy reading *Why Can't I Use the Library?* (*The Shingle*, April 1958). Although this considers problems peculiar to the maintenance of the Philadelphia Bar Association Library, its text could very well be applied to related institutions.

*Yale Law Library Acquires First Copyright Statute.* A copy of the

world's first copyright act, passed in England in 1710, has been presented to the Yale Law Library by Walter L. Pforzheimer of the Law School Class of 1938, upon the occasion of its twentieth reunion. The gift actually includes several early English copyright statutes as well as the 1710 act which, known as the *Act of Anne* (8 Anne, c. 19), contains the basic elements found in subsequent copyright laws passed both in England and America.

*Columbia University Procures the John Jay Collection.* With the recent purchase of the John Jay collection, Columbia University Libraries acquired the last great private assemblage of papers of a founder of the United States. Few of the nearly 2000 documents, which include letters of Washington, Jefferson and Franklin, have ever been published. They offer a mine of research material since Jay was the last surviving member of the first Continental Congress, the first Chief Justice of the United States, negotiator in 1782-83 of the peace with Great Britain and minister plenipotentiary to Spain.

The most important item among the material, which had been in the Jay family since 1829, is an authentic and complete copy of number five of *The Federalist* essays, the only one of the eighty-five original essays known to be in the archives of a library.

*Columbia University Obtains Historic "Mayor's Court Papers."* The *Mayor's Court Papers*, a collection of some of New York's earliest historical documents, have been acquired by the Columbia University Libraries. Dating from 1681 to 1819, these records,



consisting of nearly 2000 court items, were a gift of the late Dr. Benjamin Salzar, New York neurologist and collector of manuscripts. They are described by Richard B. Morris, Professor of History at Columbia, as "of prime importance to students of American legal and social history" in the factual detail they include as background for court litigation in the decades immediately before and after the Revolution.

The Mayor's Court, New York's earliest legal institution, goes back to 1650 when the Dutch established a court of "Burgomasters and Schepens" in New Amsterdam similar to one in the mother city. Fourteen years later, following British conquest of New Netherlands, the body was renamed for the Mayor's Court in London and modeled after it.

A significant feature of both of these institutions was the mayor's personal jurisdiction over all civil, and until 1863, criminal suits. Up to 1821, when the Mayor's Court became the Court of Common Pleas of the City and County of New York, mayor, recorder and aldermen sat regularly to administer justice in what was the most "popular" tribunal of the time.

The papers received by Columbia provide an extensive record of criminal and commercial suits, legal procedures and even the evolution of such judicial powers as those of the Court over admiralty and maritime matters.

*British Law Libraries Receive Books from Louisiana.* The State of Louisiana and the Louisiana State Law Institute recently presented cop-

ies of compiled editions of the legal archives of Louisiana to fifteen law libraries in Great Britain. Each set was in four groups; two sections comprised the legal archives of Louisiana, a third, the criminal code and the last, Louisiana's *Revised Statutes of 1950*.

Recipients of the collections were: the Library of the Victoria University of Manchester, the libraries of the Universities of Aberdeen, Edinburgh, Glasgow and St. Andrew's and the Signet Library in Scotland; Gray's Inn Library and the libraries of the Inner Temple, Middle Temple, Lincoln's Inn, King's College and the Institute of Advanced Legal Studies in London; the Bodleian Library, Oxford; the Squire Law Library, Cambridge; and the Library of the Faculty of Law, Birmingham University.

Delivery of the books was made through the United States Information Agency.

*Canadian Librarians and Copyright.* There are some provisions of special interest to librarians contained in the report on copyright of the Canadian Royal Commission to study legislation relating to patents, industrial designs, copyright and trademarks. The 151-page document, dated August 1, 1957, but released only recently, deals with all phases of Canadian copyright law and includes the Royal Commissioners' recommendations for statute revision and the reasons therefor.

Section 2 of Part X of the study is concerned with exceptions from copyright protection. It covers the question of the right librarians should have, without infringing copyright, to

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make copies of books or parts of other materials in their collections for persons engaged in research or private study and for other librarians.

It is advocated, with some broadening modifications, that legislation similar to related provisions of the United Kingdom Copyright Act of 1956 be adopted. A few significant points are: Copyright of a published literary, dramatic or musical work, other than an article contained in a periodical publication, is not infringed by making or supplying of one copy of a reasonable part of a work, if the copy is supplied by or in behalf of the librarian of a library of a class prescribed by regulations made by the Governor in Council, and the conditions determined by those regulations are complied with. (Generally speaking, privileged libraries are those not conducted for profit). The same holds true for periodical material with the additional provision that no copy extend to more than one article, or if to more than one, then only to articles relating to the same subject.

Librarians may copy entire works for other librarians provided that at the time the reproduction is made the librarian on whose behalf it is supplied does not know, and could not reasonably ascertain, the name and address of any person entitled to authorize the making of the copy. This is not necessary in the case of periodical matter, however.

The report suggests the copyright term be 56 years from the date of publication, or the life of the author, whichever is the longer period. In works of joint authorship, copyright would extend for the life of the au-

thor who dies last, or from 56 years from the date of publication if that is longer.

It is recommended that Canada endorse the Universal Copyright Convention and adhere to it as soon as appropriate legislation is passed. It is also advised the nation continue its adherence to the Berne-Rome (1928) Convention but that it not ratify the Berne-Brussels (1948) Convention.

*Canadian Provincial Documents Bibliography.* The National Library of Canada recently published a 237-page work by Olga Bernice Bishop under the title *Publications of the Governments of Nova Scotia, Prince Edward Island, New Brunswick, 1758-1952*. In the volume Miss Bishop has recorded official works, excepting those on judicial and municipal aspects of government, so far as she has been able to trace them. This was a difficult task since in the span of nearly 200 years many changes have occurred in the agencies of the three Maritime Provinces, and no complete collections of their documents exist.

*Canadian Bar Association Members to Be Identified.* In the next edition of the *Martindale-Hubbell Law Directory*, lawyers who are members of the Canadian Bar Association will be identified by a significant mark. The Secretary of that organization has been authorized to cooperate with the *Directory* staff in settling the signal and supplying, from time to time, current lists of members to keep the record accurate.

*American Judicature Society Bulletins Available.* Prior to 1921, the

American Judicature Society issued a series of 15 bulletins on various subjects. Although most of these are now out of print, two of them, Bulletins XIV and XV, are still available. The Society has an over supply amounting to some hundred odd copies of each of the above mentioned numbers and is willing to send them to libraries upon request. "They are quite old and only of historical interest, but we hate to throw them away when the chances are many libraries would be glad to have them."

Bulletin XIV is entitled "Rules of Civil Procedure Supplementary to the State-Wide Judicature Act . . . of the Society, 1919." Bulletin XV, published December 1920, is a collection of early AJS *Journal* articles on conciliation and informal procedure.

*Additional Law Books Needed for Overseas Distribution.* Chief Justice Robert G. Simmons of the Nebraska Supreme Court has renewed his drive for law books to be distributed to libraries and law schools throughout the free world. (See Current Comments, Nov. 1955 and Nov. 1956). Treatises needed include those on constitutional, international, civil, comparative, commercial, maritime, air and prison law. Specific requests ask for *Ruling Case Law*, *Corpus Juris*, *Corpus Juris Secundum*, *American Law Reports* and *U. S. Supreme Court Reports*.

The system for handling gifts is as follows: 1. Do not offer incomplete sets or books in bad condition. 2. Send all lists to Justice Simmons in care of the Nebraska Supreme Court, Lincoln, Nebraska, so he can eliminate

works of no value. 3. Upon receiving approval, the donor should have the material packed for overseas shipment at his personal expense. 4. After crating, Justice Simmons must be advised as to the number, dimensions and approximate weight of the boxes. 5. He will then select a donee and request the U. S. Information Agency to send the donor a bill of lading. 6. In about four weeks the books are on their way.

Applications for material are on file right now from Brazil, Bolivia, Puerto Rico, Chile, Argentina, Ecuador, Venezuela, Switzerland, Italy, England, Portugal, Germany, Somaliland, Egypt, Lebanon, Vietnam, Thailand, Indochina, Israel, Peru, Haiti, France, India, Ethiopia, Jordan, the Sudan, the Gold Coast (Ghana), Iran, Greece and Roumania.

*Private Practice of Law Banned in Hungary.* According to a recent United Press report based on Hungarian newspapers reaching Vienna, private practice of lawyers has been banned in Hungary. The Hungarian Lawyers guild, comprised of all attorneys with private offices, has been dissolved and replaced by a Supreme Board of Lawyers Collectives. All Hungarian attorneys will be compelled to close their offices and work within new combines in accordance with a decree announced by Hungarian Minister of Justice Ferenc Neval.

At a press conference the Minister said "many lawyers were not only incapable of fulfilling their tasks but also hampered the work of the courts. We have therefore decided to dissolve the Lawyers guild." Disciplinary com-

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missions, he added, will investigate the affairs of the guild, and "all undesirable elements will be purged from the ranks of lawyers." These investigative commissions will consist of "reliable lawyers" and party members.

*Review of Government Publications of Interest to the Legal Profession.* Commencing with its March 1958 issue, the *George Washington Law Review* initiated a separate section for reviews, notes and listings of selected government publications of special interest to the legal profession. "The frequent inclusion of this new feature in the future is motivated by the belief that there are many significant government publications that merit the careful attention of the profession but often are overlooked because legal periodicals seldom review them and the Government Printing Office does not publicize them individually. This section is designed to further one of the basic purposes of the *Review*, that of helping the bar to keep abreast of significant developments in public or governmental law."

Most of the items in the introductory material were written by practicing attorneys or student editors. Included were documents printed in 1956, 1957 and 1958.

*Association of the Bar of the City of New York Library to Be Remodeled.* Architects' plans for renovating the reading area of the Library of the Association of the Bar of the City of New York call for installation of a new ceiling with fluorescent light, in-

stallation of air-conditioning, the addition of two upper tiers of balcony bookstacks against the east and west wing walls, relocation of the service desk and catalog to just inside the entrance, restoring the floor and painting the walls.

"While retaining its traditional charm, we would then have a reading room worthy of our Library,—one of the Association's greatest assets. . . . To realize the full value of our books, we need to make them available in a place that affords at least minimum comfort and efficiency."

The estimated cost of the program is \$155,000. It is hoped subscriptions from members will reach this figure. If they do not, the Association is prepared to invade its endowment up to \$90,000.

*Stetson University Dedicates New Law Library Building.* A full text of remarks by Governor LeRoy Collins at the dedication of the \$500,000 Charles A. Dana Law Library of the Stetson University School of Law, Gulfport, Florida, was published in the April 1958 *Florida Bar Journal* at pages 190-194. The new library building, a two story early Spanish-type structure, can accommodate 40,000 volumes at present but has been constructed with a view to expansion. Its second floor is currently being used for classrooms until such time as the space is required for collection growth.

*Columbia to Construct \$7,000,000 Law School.* A grant of \$500,000 received from the Avalon Foundation has made it possible for Columbia

University to proceed immediately with preparations of final working plans for construction of a new law school building. The structure, which will cost about \$7,000,000, will be the first unit of the University's new East Campus development, a superblock eventually to be bounded by 116th and 118th Streets, and by Amsterdam Avenue and Morningside Drive.

The project, announced over a year ago, will include in addition to the Law School, a residence hall for graduate students of Law, Engineering and Business, and a center for students of Columbia's professional and graduate schools. Also envisaged in the picture is a parking garage.

*Vanderbilt Law School Receives Grant.* A Ford Foundation award of \$340,000 has been granted to the Vanderbilt Law School, Vanderbilt University, to strengthen its program in law and contemporary affairs.

*Boston University Establishes Law-Medicine Research Institute.* A Law-Medicine Research Institute, the first of its kind in the United States, has been established at Boston University. The institution's Schools of Law and Medicine are cooperating to develop a program of research and training in the interdisciplinary areas of law, medicine and the behavioral sciences which will eventually offer services as a clearing house for activities in the medico-legal field. Student seminars are already in progress, and a regularly sponsored lecture series for practicing lawyers and doctors is in the planning stage, with the first speaker scheduled to be the noted New York attorney Emile Zola Berman.

William J. Curran, Professor of Law and Legal Medicine at BU has been designated director of the program. Aiding him is a University administrative committee consisting of T. Elwood Hettrick, Dean of the Law School, and Dr. Henry J. Bakst, Professor of Preventative Medicine and Coordinator of Rehabilitation of the University's School of Medicine.

An announcement describing reasons for founding the project pointed out that "over 70% of all litigation in our courts today involves substantial or controlling issues dependent upon medical proof. Government programs involving innumerable legal considerations are becoming more and more significant in medical practice, public health and medical care programs. Advances in medical science, particularly in psychiatry and other behavioral sciences, are having a great effect on the traditional rules of criminal responsibility, civil competency, and other fields of law. Also many medical scientists are concerned about growing governmental and other legal restrictions in various areas of medical work such as procurement of anatomical specimens, experimental animals, and tissue transplantation."

By the time the Institute becomes well constituted it will have a new home on the Charles. The University has purchased a six story building near its growing Commonwealth Avenue campus which will eventually house its entire law school and accommodate a 150,000 volume law library.

*Workshop on Legal Research.* A workshop on legal research: materials and procedures was held at the Asso-

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ciation of the Bar of the City of New York, 42 West 44th Street, New York on Saturday, May 3 from 10 a. m. to 4:15 p. m. Over 100 practicing attorneys and members of law libraries from the states of Maine, Rhode Island, Massachusetts, Connecticut, New Jersey, New York, Pennsylvania, Maryland, Delaware, and Washington, D. C. attended, as well as the reference librarian from the University of Washington Law Library in Seattle.

The workshop was sponsored by the Law Library Association of Greater New York. Its purpose was the consideration of materials and methods of reference work in a law library, with emphasis on the less obvious. Based on questions submitted by practicing law librarians, it was practical in its approach.

The morning session was opened by Dr. Miles O. Price of the Columbia University Law Library, director of the workshop. Carroll C. Moreland of the Biddle Law Library, University of Pennsylvania, spoke on "Legal Materials—The Less Obvious." Mrs. Fannie J. Klein of the Institute of Judicial Administration and New York University Law Library discussed "Court Rules," supplementing her talk with a chart of where rules of court and rules of practice and procedure promulgated by courts in the several states and territories of the United States are published. Finally, J. Myron Jacobstein of Columbia University Law Library spoke on the subject "Non-Legal Materials," in connection with which a list of recommended non-legal books for law libraries was distributed.

A luncheon for the members of the

workshop was held from 12:45 p. m. to 2:00 p. m. at the New York University Club, 123 West 43rd Street, N.Y.C.

There were two one-hour simultaneous sessions in the afternoon. The registrants, divided into two groups, switched at the end of the first hour so that all attended both lectures. The speakers were: Miss Elizabeth Finley of the law firm of Covington & Burling, Washington, D. C., who prepared a mimeographed "compilation of some of the more usual sources for discovering, obtaining, following and locating the various materials which make up a legislative history of a federal law" in support of her talk on "Legislative Histories;" and Harry Bitner of the Yale Law Library, who supplied mimeographed material extracted and paraphrased from Price & Bitner, *Effective Legal Research*, in connection with his talk on "Administrative Law and Procedure Materials." All speakers answered questions from the floor after their lectures.

The workshop proved to be most successful and helpful in dealing with practical problems of law librarians. Credit is especially due the director, Dr. Price; the program committee of Arthur A. Charpentier, President of the Law Library Association of Greater New York, Joseph L. Andrews, Mrs. Marjorie S. Coleman, J. Myron Jacobstein, Richard Sloane, and Mrs. Fannie J. Klein, chairman; and the publicity chairman, Roy M. Mersky. (Contributed by Roy M. Mersky)

*European Treaty Locations.* The European Center at Geneva, Switzerland, of the Carnegie Endowment for

International Peace recently published a concise bibliographical work on the location of texts of current European treaties. This 53-page brochure, *Où Trouver le Texte des Traités Européens*, was compiled by Michel Roussier, librarian of the Bibliothèque Administrative of the Prefecture of the Seine in Paris. Its arrangement is alphabetical by country where, under each nation, precise indication of the official publication of treaties is given as well as any existing unofficial sources devoting considerable attention to the publication of treaty texts and related documents.

*New Jersey Union List of Serials.* A union list of serials for the State of New Jersey is being prepared under the sponsorship of the New Jersey Chapter of the Special Libraries Association. It will locate serial holdings for 60 libraries (special, public and university) in the area.

The *Union List—New Jersey* will be issued at an average rate of one letter of the alphabet per month over a two-year period, starting July 1, 1958. When complete it will consist of about 900 looseleaf pages containing approximately 6,400 titles. It is anticipated that after the basic list has been finished subsequent revisions will be issued to keep it up to date.

Inquiries concerning subscriptions should be sent to F. E. McKenna, c/o Air Reduction Co., Inc., Murray Hill, New Jersey. The rate for the first year is \$15.50.

*Interstate Exchange of Legislative Service Agency Publications.* The development of an adequate program

for the systematic and orderly interchange of legislative service agency publications among U. S. states and territories has been a major and continuing objective of the National Legislative Conference since the proposal first was broached in 1953. After over three years of study, a plan was agreed upon at the 1956 annual meeting of the Conference at Seattle, when the Executive Committee, with the assistance of the Council of State Governments, Secretariat to the Conference, was requested to take steps to put the agreed plan into operation.

The intention of the program, according to Section I of the Agreement, is as follows: "The purpose of this Agreement is to provide a basis for the effective, systematic, and inexpensive distribution among the several states of publications of legislative service agencies, and for appropriate circulation among the service agencies of participating states of out-of-state publications received pursuant to this Agreement. It is hoped that one of the results of the operation of this program will be the designation of permanent depositories for such publications in each of the participating states. As used in this Agreement and in exchange arrangements entered into pursuant hereto, the word 'state' is to be construed to include the states and territories of the U. S. and the Commonwealth of Puerto Rico."

A manual of operation (Council of State Governments. *Manual for Interstate Exchange of Legislative Service Agency Publications; A Program Developed by the National Legislative Conference.* August 1957) results from this background and these prepara-

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tions. Incorporated herein are the operating details of the projects of 16 jurisdictions which will comprise the initial group of participants. As other jurisdictions signify their intention of joining and notify the Secretariat to that effect, supplements to the *Manual* will be prepared and distributed to member states and territories.

The *Manual* contains a page for each of the participating states giving the effective date of the agreement, the distribution agency, the information agency, the receiving agency, the depository agency, participating agencies and the types of reports which will be distributed.

It is to be expected that in a program of this nature actual experience in its operation will suggest changes and modifications. These, pursuant to the basic Agreement, will be reviewed by the National Legislative Conference and its officers and committees. Whenever alterations occur they will be brought to attention as supplements to the *Manual*.

*Inter-American Legal Foundation Established.* Formation of the Inter-American Legal Foundation has been announced by Cody Fowler, president of the Inter-American Bar Association.

A non-profit corporation, its broad purpose is to "promote, establish and maintain relations between associations and organizations of lawyers and members of the Bar, national and local, in the various countries of the Western Hemisphere. . . ." It will provide a forum "for the exchange of views, research and knowledge concerning law and the administration of

justice" with emphasis placed on the study of comparative law. Also, plans to publish and distribute books on subjects of particular interest to the Inter-American legal profession and judiciary are being considered, as are scholarship awards and research projects.

Affairs of the organization will be managed by a president, vice-president, secretary and treasurer elected annually by the Board of Directors.

*Symposium on "Federal Rules of Civil Procedure."* The April 1958 issue of the *Columbia Law Review* is a symposium on the "Federal Rules of Civil Procedure." It is a twenty-year (1938-1958) perspective which studies their growth, influence, efficiency, strengths and weaknesses.

*Legal Aspects of Library Administration.* *Library Trends* for April 1958, as stated in the Introduction, is designed to constitute a preliminary handbook "for laymen on legal aspects of library administration in the United States of America. It aims to be of practical use to library administrators, to prospective librarians, and to library trustees who are not lawyers, primarily as a guide to warn them of situations and areas of administration they will probably encounter to which the law or specific laws may or do apply. While devoted, basically, to public libraries, that is, to libraries wholly or partially tax-supported, a conscious effort also has been made throughout to make these discussions of value to the administrators of privately endowed libraries and libraries in institutions supported from endow-

ments and private funds rather than public funds. In addition, a final chapter by Harvard's law librarian is devoted to pointing out the major differences between privately and publicly supported libraries in the legal aspects of their administration. . . ."

Contributors to the issue include: Carroll C. Moreland (*Establishment and Governmental Relationships*); Marian G. Gallagher (*Internal Administration and Its Organization*); John Boynton Kaiser (*Personnel Administration*); Miles O. Price (*Acquisition and Technical Processing*); Julius J. Marke (*Construction and Maintenance*); Vincent E. Fiordalisi (*Financial Support and Administration*); Betty Virginia LeBus (*Public Services and Public Relations*); Margaret E. Coonan (*Miscellany*); Earl C. Borgeason (*Libraries of Non-Tax Supported Institutions*).

*Law Library Statistics.* Following are a few general statistics relative to three of the nation's leading law libraries taken, in the cases of the first

two, from the annual reports of the librarians and in the last instance, from the treasurer's annual report.

At Northwestern University Law Library in 1956/57 (Sept. 1-Aug. 31), 3,404 bound volumes were added to the collection. Of these, 674 books as well as 358 pamphlets and 269 periodicals were gifts from 23 donors. The total number of bound volumes in the Library has reached 172,006.

For the year 1956/57 at the University of California, the number of volumes of the Law Library at Berkeley increased from 120,057 to 125,534 and at Los Angeles, from 96,052 to 104,668. The number of current serials increased at Berkeley to 1,611 and at Los Angeles to 1,667.

During 1957/58 (Apr. 1-Mar. 31) the Detroit Bar Association spent \$23,148.83 for books. Library salaries totaled \$24,197.25; binding and rebinding, \$5,309.60; printing and stationery, \$353.74. Aside from books, total expenses were \$43,925.27. Overall expenditures for the Lawyers Reference Service was \$4,814.74.

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## MEMBERSHIP NEWS

*Compiled by MARY W. OLIVER, Law Librarian*

University of North Carolina

Chapel Hill, N. C.

(Note: Members are cordially invited to submit news of their professional activities to the compiler. Material received by the twenty-fifth day of February, May, August or November will appear in the next issue.)

MRS. PAT BAKER will begin her duties as Assistant Law Librarian at the University of Oklahoma on September 1, replacing George Skinner. She will receive her M.S. in Library Science in August from the University of Oklahoma.

STOJAN A. BAYITCH, Professor of Law and Foreign Law Librarian at the University of Miami, is the subject of a "Faculty Profile" which appeared in the student newspaper, *The Barrister*, March 14, 1958. He is the author of *Interamerican Law of Fisheries* published recently.

At a recent meeting of the Philadelphia Bar Association, three employees of the Bar Association Library were honored. The three have a combined total of 103 years of continuous service. The employees honored were OTTO HOFFENBECKER, with 43 years of service, JOSEPH F. HEFFERNAN, with 31 years of service, and GEORGE W. VANCE, who has had 29 years of service.

MRS. CATHERINE MAYBURY is Librarian at the Institute of Government, University of North Carolina.

Formerly with the Institute, Mrs. Maybury has been Documents Librarian at the University of North Carolina Library for the past year.

MARGARET M. MOODY has been appointed Assistant Librarian for Cataloging at the Harvard University Law Library effective July 1958. She is a graduate of the University of Minnesota, Division of Library Instruction. Prior to going to Harvard in 1943 as Head of the Catalog Department, she was with the Public Library of Bismarck, North Dakota.

MYRTLE A. MOODY has been appointed Assistant Librarian for Acquisitions at the Harvard University Law Library effective July 1958. A graduate of the University of Minnesota, Division of Library Instruction, she has been Head of the Acquisitions Department at the Harvard Law School Library since 1943.

MORTIMER SCHWARTZ, Associate Professor of Law and Law Librarian at the University of Oklahoma, has been elected chairman of the Cleveland County Child Welfare Advisory Board.

GEORGE E. SKINNER has been appointed Law Librarian and Lecturer in Legal Bibliography at the University of Missouri. He will begin his du-



ties on July 1. For the past three years he has been Associate Law Librarian at the University of Oklahoma.

GEORGE A. STRAIT has been appointed Assistant Librarian for Reference Service in the Harvard Law School Library effective September 1958. A graduate of the Suffolk University Law School and a member of the Massachusetts Bar, he has been Librarian at the Worcester County Law Library since 1954.

PHILIP WESLEY, formerly of the UCLA Law Library, is now a member of the staff of the Los Angeles County Law Library. Mr. Wesley has been appointed Order Librarian effective September 1958.

JOHN F. WHELAN, former Law Reference Librarian of the General Counsel's Law Library of the Atomic Energy Commission, is now with the Army Library.

LUCILLE HOLLAND, Legislative Reference Librarian, the Navy JAG Law Library, has retired to take a position as Mrs. Perle Mesta's social secretary.

#### AMONG OUR AUTHORS

DILLARD S. GARDNER, Marshal-Librarian of the North Carolina Supreme Court, is the author of an article entitled *The Continuous Revision of Our State Constitution*, 36 *North Carolina Law Review* 297 (April 1958).

WILLIAM R. ROALFE, Librarian, Northwestern University Law Library, is the author of *Law Librarianship—A New Field of Specialization*

appearing in the May-June 1958 issue of *Case and Comment*.

Among the contributors to the April 1958 issue of *Library Trends*, devoted to the subject "Legal Aspects of Library Administration," are CARROLL C. MORELAND, MARIAN G. GALLAGHER, MILES O. PRICE, JULIUS J. MARKE, VINCENT E. FIORDALISI, BETTY VIRGINIA LEBUS, MARGARET E. COONAN, and EARL C. BORGESON.

#### CHAPTER NEWS

The ASSOCIATION OF LAW LIBRARIES OF UPSTATE NEW YORK has been working toward the establishment of a fee system for the maintenance of law libraries. The Association plans to prepare a bill for introduction at the next session of the Legislature.

The LAW LIBRARY ASSOCIATION OF GREATER NEW YORK held a workshop on Legal Research: Materials and Procedures on May 3. The workshop was under the direction of Miles O. Price. Carroll C. Moreland spoke on "Legal Materials—The Less Obvious," Fannie J. Klein spoke on "Court Rules," J. Myron Jacobstein spoke on "Non-Legal Materials," Elizabeth Finley spoke on "Legislative Histories," and Harry Bitner spoke on "Administrative Law and Procedure Materials."

The LAW LIBRARIANS' SOCIETY OF WASHINGTON, D.C. has been publishing a newsletter, *Law Library Lights*. Publication began in September 1957 under the editorship of Richard C. Dahl. The newsletter contains reports on the meetings of the Chapter, progress of its activities, personnel changes,

positions open, and includes miscellaneous items of interest to the members.

The SOUTHERN CALIFORNIA ASSOCIATION OF LAW LIBRARIES held its twenty-third meeting in December. The Chapter was honored to have AALL President Helen Hargrave as guest speaker.

#### NEW MEMBERS

The following have recently joined the Association or have been designated as Institutional Members:

MRS. SARAH F. BELL, University of North Carolina Law School Library, replacing Mrs. Rosalie Massengale.

GEORGE L. DUNBAR, new Institutional member for Texas Southern University Law Library, 3201 Wheeler St., Houston 4, Texas.

WILLIAM W. GAUNT, Carswell Co.,

Ltd., 145-149 Adelaide St., Toronto, Canada.

A. ELIZABETH HOLT, Pennsylvania State Library, Law Division, Education Bldg., Harrisburg, Pa.

ELIZABETH H. NOBLE, University of Pennsylvania, Biddle Law Library, 3400 Chestnut St., Philadelphia 4, Pa., replacing Virginia Hughey.

MRS. HELEN STRAWN, Louisiana State University Law Library, University Station, Baton Rouge, Louisiana, replacing Mrs. Helen Pluskat.

BETTY D. STUART, new Institutional member for Texas Southern University Law Library, 3201 Wheeler St., Houston 4, Texas.

RICHARD J. SULLIVAN, Suffolk University Law Library, 20 Derne St., Boston 14, Mass., replacing Edward Hartmann.

## AALL ANNOUNCEMENTS

AALL Committee Chairmen for 1958-1959, as announced by President Ervin H. Pollack, are:

Application of Mechanical and Scientific Devices to Legal Literature	John C. Leary	Index to Legal Periodicals	Forrest S. Drummond
Cataloging and Classification	Mortimer D. Schwartz	Law Library Journal	Mrs. Marian G. Gallagher
Chapters	Corinne Bass	List of Law Libraries	Eugene M. Wypyski
Committees	Erwin C. Surrency	Memorials	George A. Johnston
Education	Mary W. Oliver	Microfacsimiles	Joseph L. Andrew
Elections	Ernest H. Breuer	New Members	Virginia A. Knox
Exchange of Duplicates	Myrtle A. Moody	Nominations	Miles O. Price
Federal Agency Activities	Mrs. Madeleine W. Losee	Placement	Harry Bitner
Foreign Law	Kurt Schwerin	Policy	William R. Roalfe
		Publications	Betty Virginia LeBus
		Publicity	Eileen M. Murphy
		Scholarships	Sarah Leverette

### Committee on Placement

The Committee on Placement of the American Association of Law Libraries maintains a file of education-experience data concerning law library personnel for the information of law library administrators. The Committee will suggest suitable candidates for positions in law libraries, on request. Inquire of Harry Bitner, Chairman, Yale Law Library, New Haven, Connecticut, stating the nature of the position to be filled, educational and experience requirements, and salary range. Law librarians and prospective law librarians are invited to file with the Committee. Blanks will be furnished on request to the Chairman or any Committee member.

The *Law Library Journal* will publish, free of charge, classified advertisements concerning openings and positions wanted, as a service to the law librarianship profession. This free service is offered to any law library administrator in search of personnel and to any librarianship or law student who is interested in a position in a law library.

The free advertisement may run in two consecutive issues of the *Journal*. Free advertisement text is limited to 250 typewriter spaces (approximately 6½ printed lines). Additional copy is acceptable but will be assessed at the regular rate of \$1.00 per printed line. Advertisements must be submitted in duplicate to the Advertising Manager of the *Journal* in time to meet these deadlines: for the February issue, December 7; for the May issue, March 7; for the August issue, June 7; and for the November issue, September 7.

Additional information and forms for submitting copy are available from Mr. Bitner.

### ASSOCIATION CALENDAR—ANNUAL MEETINGS

Dates	City	Headquarters
June 22—June 25, 1959	New York City	Commodore Hotel
June 28—July 1, 1960	Minneapolis	Hotel Leamington

## NEW BOOKS APPRAISED

Bradway, John S. *How to Practice Law Effectively*. New York: Oceana Publications, 1958. Pp. 96. \$2.75.

Professor Bradway is well known as the Director of the Legal Aid Clinic at Duke University. *Law Books in Print* lists three of his publications on the subject of legal aid clinics. He has now written a new book on law practice which is editorially aimed at young practitioners or law students. It deals with the thought processes he would wish to inculcate in the young lawyer dealing with a client. It isolates the young lawyer doing legal research, presents checklists as guides in getting the facts from the client or elsewhere, and identifies the points of decision on steps to be taken in helping the client out of his difficulties by litigation or conciliation. While highly motivated, it is somewhat abstract in that it does not take the lawyer through any one case or any particular type of case. It is generalized and in this sense is a textbook and not a casebook.

It is not a *Bramble Bush* or *An Introduction to Legal Reasoning*. It would be happier shelved along with Tracy, *The Successful Practice of Law*; Miller, *Practice of Law*; Seligson, *Building a Practice*; McCarty, *Law Office Management*; Price, *Law Office Management* or the *Practical Lawyer's Law Office Manual*. And you might add here Rowe, *How and Where Lawyers Get Practice*, another North Carolinian's book on the same general subject.

Professor Bradway has written about the individual practitioner, the young individual practitioner. I hope for sequels about the lawyer who is an associate or a partner in a law firm, or the lawyer who becomes a judge.

JOHN C. LEARY

Cromwell Library  
American Bar Foundation, Chicago

Danforth, Harold R. and Horan, James D. *The D.A.'s Man*. New York: Crown, 1957. Pp. 261. \$4.95.

In Botein's *The Prosecutor* we see the problems that befall a big city D. A. In this book we are introduced to the man that solves his problems—his investigator. Mr. Danforth was the legman for Thomas Dewey and Frank Hogan, and in this well-written, exciting book we follow Danforth in the Luciano investigation, the million dollar swindle of McKesson & Robbins, the basketball scandal, etc. This book is not just a rehash of those incidents but, at times, an almost diary-like account of what actually happened. The "dirty business" of wire tapping is seen in practice and the authors provide a good case for allowing court authorized wire tapping. The one questionable practice of the book was to implicate high bribery to politicians without naming names except to ominously suggest that "even men who are close to Roosevelt" (p. 123) are involved. Danforth, apparently, is a Dewey man even in politics.

This book is an all too infrequent intelligent view of the law enforcement problems faced by the man who has to bring the suspect to justice. It is possible that law enforcement officers are or can be as aware of constitutional rights as the criminal.

For law schools, bar associations and court libraries.

EDWARD J. BANDER

U. S. Court of Appeals Library,  
Boston

Darrow, Clarence. *The Story of My Life*. New York: Grosset and Dunlap, 1958. Pp. 465. \$1.45. (Paper)

Noble, Iris. *Clarence Darrow, Defense Attorney*. New York: Messner, 1958. Pp. 192. \$2.95.

Darrow's autobiography is a reprint of a 1932 edition. Mr. Darrow can safely be called an atheist, a despoiser of the law (p. 431), a pessimist about mankind and a good lawyer. The book is predominantly Darrow's bleak and deterministic philosophy of life, wherein he wades into sci-

ence and religion with the same confidence that he had before a jury. Darrow's views on the law, courtroom tactics and his cases are unfortunately meager and lend little to an understanding of his success. His views, however, on conspiracy, unions and capital punishment are expressed (the book has a good index) and worth a thought or two.

Miss Noble's book, as its dedication indicates, owes a great deal to Irving Stone's sympathetic portrayal of Mr. Darrow (*Clarence Darrow for the Defense*). The author errs inconsequentially in not bringing out that Darrow was pleading in mitigation of sentence in the Loeb-Leopold case and not summing up for the judge in a non-jury trial.

Darrow's autobiography belongs wherever lawyers and law students have libraries; the Noble book is for teen-agers only.

EDWARD J. BANDER

U. S. Court of Appeals Library,  
Boston

Derber, Milton and Young, Edwin, eds.  
*Labor and the New Deal*. Madison:  
University of Wisconsin Press, 1957.  
Pp. 393. \$6.00.

This book is intended neither as a comprehensive nor as an exhaustive historical survey of labor and its problems under the New Deal. Instead it is directed towards developing insights into the impact of New Deal legislation and attitudes upon currently growing labor institutions and practices. The volume is a joint-effort production of twelve authors who are professors at either the University of Wisconsin or the Industrial and Labor Relations School of the University of Illinois. They have focused their attentions on ten selected, significant subjects. The division of their labors follows: Milton Derber (co-ed.)—Growth of Unionism; Edwin Young (co-ed.)—Split and Formation of the C.I.O.; Bernard Karsh and Phillips L. Garman—Leftwing Political Impacts; R. W. Fleming—The Wagner Act; Murray Edelman—New Deal Legislation and Its Conditioning Factors; Elizabeth Brandeis—Protective Labor Legislation; Edwin E. Witte—Social Se-

curity; Richard C. Wilcock—Management Policies; Doris E. Pullman and L. Reed Tripp—Collective Bargaining Practices; Selig Perlman—An Historical Perspective.

United States labor growth and change is measured quantitatively, and adequate information on the changing contents of collective bargaining sessions and agreements is presented. Individually, the authors are prone to favor the aspirations of the New Deal, and they largely trace its goals through many formalisms of the New Deal legislation. They are agreed that the progenitors of these ideals were academicians or men recruited from long-term governmental circles. They concur that the labor movement, generally, has lacked skilled technicians, and, in a truer perspective, it has been only a portion of a greater unfolding trend towards more social security.

The authors are sound, very sound, sometimes overlapping, and oftentimes drab. Only infrequently do they delve into a discussion of the major realignments of underlying values and attitudes which took place during the New Deal. Commentary in human terms, about swelling social forces of the period, their meanings and impacts upon the daily lives of the working peoples is almost wholly absent from these ten essays. And there is little agreement among the professors on the historical period which constitutes the "New Deal." Finally,—and I do not intend destructiveness, for it is a good book—I would have appreciated a thorough critique of the effects of increasing governmental control and regulation. In these days of the McClellan Committee and its implications, I cannot understand the reasons for such an omission.

ARVAL MORRIS

University of Washington  
School of Law

Douglas, William O. *The Right of the People*. Garden City, New York: Doubleday, 1958. Pp. 238. \$4.00.

In this book Justice Douglas defies the leviathan. He believes that the constitutional limitations of the First Amendment protect a host of unpopular activi-

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ties from pacificism to oral revolutionizing. Under three headings—freedom of expression, the right to be let alone, and the civilian authority—he takes issue with those who, like Judge Hand, tread lightly when conflict with legislative enactments loom large.

This book is not a text but a viewpoint. Much of the material is covered elsewhere more exhaustively (viz. Chafee). The book reads well, the Justice does give full citation for his cases and has an adequate and legible index. Librarians will be interested in the author's views on books—censorship, prior restraint and obscenity.

Place this book alongside Bern's *Freedom, Virtue and the First Amendment*, Drinker's *Some Observations on the Four Freedoms of the First Amendment*, Hand's *Bill of Rights*, and Konvitz' *Fundamental Liberties of a Free People; Religion, Speech, Press, Assembly*, (all current) and you may have ordered confusion but you also will have pleased the varied political tastes of your patrons.

EDWARD J. BANDER

U. S. Court of Appeals Library,  
Boston

Eusden, John Dykstra. *Puritans, Lawyers and Politics in Early Seventeenth-Century England*. New Haven: Yale Studies in Religious Education, vol. 23, 1958. Pp. 350. \$4.50.

Richard O. Sullivan in his second Hamlyn lecture said: "The common law of England is one of the great civilizing forces of the world." If this is true, then it is necessary for us in order to better understand our own modern legal system to master the study and knowledge of the early English legal system. Unfortunately, though, legal history—and particularly English legal history—has not been a popular course in those law schools in which it is taught, and most American law schools leave no place at all for it in their curriculum. The only acquaintance the average American law student gets with English legal history is a slight taint from a case or two brought into courses taught in Contracts, Torts, and Property. The instructor usually approaches these

cases very superficially and treats them as of little importance, which is not strange since cases are chosen more for their bizarre and sensational aspect than for their historical value. However, "during the sixteenth and seventeenth centuries one of the most important modes of studying the past was the study of the law; . . . many European nations obtained knowledge of their history by reflecting, largely under the stimulus of contemporary political developments and theories, upon the character of their law; (and) the historical outlook which arose in each nation was in part the product of its law, and therefore, in turn, of its history." In the light of this statement by J. G. A. Pocock in his *The Ancient Constitution and the Feudal Law*, showing that the study of legal history is essential to the understanding of the historical outlook of a nation and thus of its legal system today, I feel that it is extremely important for the law librarian to help fill this gap in American legal education by making available in his library noteworthy books dealing with English legal history.

Such a book is *Puritans, Lawyers and Politics in Early Seventeenth-Century England*. The author, who is assistant professor of religion at the Yale Divinity School, teaches a course entitled "Seminar in Church and State" which discusses theories in the relationship of church and state in the past and at present, including such problems as education, birth control, and the law. His book deals with the relationship of religion with law as exemplified by the historical study of the relationship of Puritans to the common law in early 17th-century England, as minority factions against absolute monarchy, and in ideological parallelism as legalist bodies in a particular kind of religion and in their insistence upon a particular kind of institutional independence. It is basically concerned with the influence that Puritanism had on common law and which common law in turn had upon Puritanism, and draws the ideological parallels between these two ways of thought and their alliance against the Stuart crown. Professor Eusden points out

that Puritans and lawyers of the common law held joint ideas about many aspects of political philosophy, and that these ideas and the struggles of the two groups helped to formulate modern political philosophy. For instance, they have bequeathed to us the concept of authority which is now a fundamental part of our legal thinking. He also discusses such diverse subjects as law courts, universities, judges, the Inns of Court, the Crown, Parliament, Puritan theology, and common law.

All librarians can well justify the purchase of this book. It is extremely well written in a style marked by clarity and readability, and the type is pleasing to the eye and the format easy to handle. The book also contains a very valuable legal bibliography.

ROY M. MERSKY

Yale Law Library

Fugate, Wilbur L. *Foreign Commerce and the Antitrust Laws*. Boston: Little, Brown, 1958. Pp. 384. \$16.00.

*Foreign Commerce and the Antitrust Laws* by Wilbur L. Fugate, a trial attorney in the Antitrust Division of the Department of Justice, is one of a Trade Regulation Series which has been described by its editor as "... practical guides to good faith compliance with antitrust and cognate trade regulation laws." The purposes of this "hand book," as stated in the editor's foreword, are to provide a guide for the general practitioner who has little experience in this field, to provide a quick orientation for the economist or business executive, and to provide a ready reference tool for the specialist. Such a multi-purpose task is particularly formidable in this area because the basic statute, the Sherman Act, has general reference to both interstate and foreign commerce. As the author recognizes, there is no limited frame of reference. All important antitrust cases are applicable to an understanding of restraint or monopolization of trade with foreign nations.

The principles which run through the foreign trade cases, as the author points

out, are not new. The 1949 *Timken* case has much in common with the 1911 *American Tobacco* case. And in general because the same principles which govern trade among the states can be said to govern foreign trade, the problem of how much general antitrust background to provide cannot be avoided. Fugate's resolution of this problem is to provide a short general background introductory chapter, then to proceed directly to the jurisdictional problems (chapters 2 and 3) which raise special "foreign trade" issues. Problems of antitrust relief also are special, but their discussion is postponed for subsequent treatment.

Substantively, the principal distinguishing characteristic of the foreign trade cases, as contrasted to the interstate cases, is the question of the incidence of the restraining effect. Mr. Fugate finds, that apart from actual conflicts with foreign law, the question of the power of the United States over acts abroad affecting its commerce must now be taken as settled if the effect is substantial. One might expect, then, that considerable attention would be given to an organization and analysis designed to evaluate the substantiality of the restrictive effect on exports from imports into or trade in the United States. The book does not do this either directly or systematically. The organization and structure of the work places great stress on means and methods. Thus there is a chapter on patents and technology which runs the gamut of the practices which are used throughout the world for purposes and with effects which antitrust lawyers have come to recognize. A similar chapter deals with trademarks, another with foreign subsidiaries and foreign acquisitions. Joint exploitation abroad is also separately treated as is foreign investment. This method provides interesting and useful "foreign trade" references but the central question remains—what is the substantiality of effect on the United States.

A serious question is raised as to whether any book of this kind should be recommended, as it is in the foreword, as

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"... a guide for the general practitioner who has little experience in this field." The book does provide interesting and useful introductory information to both the antitrust expert and the non-expert. But more is required. Landmark "foreign" cases are relatively few in number. Mr. Fugate's organization calls for repeated reference to the most important cases. The number of page references following the case reference in the index makes for ready identification. It is not to disparage this work to suggest that it is a supplement to rather than a substitute for these cases for any of those for whom this book is intended.

Despite the usual and necessary disclaimer that his opinions do not represent those of the Department of Justice, Fugate has nevertheless provided what will undoubtedly be viewed as an indicator of Department thinking concerning the propriety of the foreign trade practices he discusses.

This book, according to its author, is an attempt to provide a safe path a bit back from the cliff-edge, citing Brandeis' refusal to advise clients how to walk on the brink. Risk-takers will undoubtedly prefer alternative trails closer to the precipice even though the edges are crumbly.

WARD BOWMAN

Yale Law School

Kantorowicz, Hermann. *The Definition of Law*. Edited by A. H. Campbell with an introduction by A. L. Goodhart. Cambridge [Eng.] University Press, 1958. Pp. 113. \$3.00.

This essay was designed to form the first part of the Introduction to a comprehensive *Oxford History of Legal Science*. The major project was abandoned, or at least indefinitely postponed, after Dr. Kantorowicz' death in 1940. But the nature of this project determines the author's approach to the definitional problem, for his view is that definition is no more than a proposal about the use of a word for the purpose in hand. He therefore sets out to define law in a way which will enable him to include what he thinks

proper to a history of legal science and exclude all else.

For this purpose he believes that law is best understood as a body of rules considered justiciable. Law is distinct from morality because the former consists of prescriptions directed at external conduct, the latter of prescriptions directed at internal mental states. But within the field of rules directed to external conduct only those are law which are considered suitable for application to individual cases, in the event of conflict between the interested parties, by a representative of the group within which the conflict arises, acting according to a definite procedure.

This book merits inclusion in libraries because it provides an indication of the sorts of problems which are currently thought to be important in English jurisprudence. Dr. Goodhart in his introduction seems to regard the book as driving a nail into the coffin of the American realists, of whom he speaks in the past tense. But if this book represents current legal thinking the American realists are not merely dead—they have vanished without trace. Their work is not even part of the history of legal science, though a systematic exposition of the rules of law in 1908 is a part of that history.

WILLIAM L. MORRISON

Yale Law School

*Law in Eastern Europe; a series of publications issued by the Documentation Office for East European Law, University of Leyden*. Ed. by Z. Szirmai. No. 1, Leyden, Sijthoff, 1958. \$2.50.

Difficulties encountered in obtaining information on the law of Soviet or Soviet dominated countries are manifold. Not only do librarians face incredible problems in ordering Eastern European books and in obtaining regular delivery of serials published there, but also the language problem poses frequently obstacles concerning the utilization of materials received. Translations of source and secondary materials into Western languages and critical writings in the latter languages on Eastern European law find a

priority among foreign law acquisitions in many law libraries.

*Highlights*, published by the Mid-European Law Project at the Library of Congress, *Osteuropa Recht* (see 50 *Law Library Journal* 44, 1957) and *Rechts- und Staatswissenschaftlicher Informationsdienst* have now been joined by *Law in Eastern Europe*, to be issued, for the time being, twice a year by the Documentatie Bureau voor Oost-Europees Recht at the University of Leyden. Four articles of the first volume are in English or French and deal with the Procurator's Office, res judicata, social insurance and railroad legislation in the Soviet Union. The next two volumes are scheduled to have contributions on Yugoslav nationalizations, Polish legislation, East German taxation and the maritime code of the Soviet Union.

The editor is Dr. Z. Szirmai, Director of the Bureau, whose contributions on Eastern European law to *Rechtsgeleerd Magazijn Themis* show his wide grasp of the subject matter.

WILLIAM B. STERN

Los Angeles County Law Library

Lebowitz, Leon. *Legal Bibliography and Research*. 2d rev. ed. Austin: The author, 1957. Pp. 296. \$6.50.

The law libraries of Texas will welcome the second revised edition of *Legal Bibliography and Research* by Leon Lebowitz. The purpose of the author in writing the book was to provide "an outlined manual on the use of law books for practice in the Texas and Federal Courts."

The author is professor of law at the University of Texas Law School. The manual is an outgrowth of his experience in teaching legal bibliography in law schools in Texas and Louisiana. It is a where and how book, streamlined for the Texas law student.

The material is presented under the following subject divisions: Enactments—Federal and State; Case Law—English, Federal and State; Methods of Research; Books of Secondary Authority; Search Manuals; Topical Law Reports; Legal

Research and Writing. Each subject division terminates with a research section. All sources of the law are given with concise descriptive and historical annotations.

Easy hunting and finding is made possible by the outline style of exposition which persists from page 1 to 281. The text is well documented in footnotes. The index by subjects and titles of publications is accurate and adequate. The book has an efficient format with clear print, wide margins and durable green binding.

I use this book for guidance in building up our collection of Texas law. In teaching legal bibliography, I use *Effective Legal Research* by Price and Bitner as a fundamental source book and the Lebowitz manual as a supplementary treatise, particularly valuable for Texas legal materials and for Texas legislative history.

Beyond the Texas borders, law librarians will find *Legal Bibliography and Research*, by Leon Lebowitz, useful for the selection of Texas statutory compilations and for the variations in the publication of Texas law reports, due to the revolutionary changes in Texas government under the six flags.

FRANCES SAWYER HENKE

St. Mary's University  
School of Law

McDowell, Banks. *Foreign Personal Representatives*. Ann Arbor: University of Michigan Law School, 1957. Pp. 219. \$5.00.

This book plows a small corner of the conflict of laws field. It deals with the powers and liabilities of executors and administrators outside the jurisdictions which appoint them. The problems of administration of decedents' estates in the conflict of laws are peculiar, difficult and of practical importance. Consequently a study of greater proportions than the usual chapters in books on wills, probate practice and conflict of laws seem justified.

McDowell has done a solid, somewhat pedestrian job of collecting the materials

and discussing the major problems. The Uniform Powers of Foreign Representatives Act and the Uniform Ancillary Administration of Estates Act are set out in appendices, and there is a table of cases and an index. The book has library utility and should be acquired, but no scholar with designs on the field need fear that his topic has been written out.

JOHN HENRY MERRYMAN

Stanford University  
School of Law

McIntyre, Stuart Hull. *Legal Effect of World War II on Treaties of the United States*. The Hague: Martinus Nijhoff, 1958. Pp. 392. Gld.28.50.

This is a fascinating book. It is not a theoretical discussion, although theory does intrude in appropriate places. It is rather, in the words of the author, "... an empirical examination of the legal effect of war on treaties to which the United States and one or more enemy states were parties. . . ." The literature of international law needs more such empirical studies, both for their own value and as relief from continued domination of the field by theorists. Mr. McIntyre's synthesis of the mass of material bearing on United States practice belongs in every library purporting to collect materials on international law.

The text is readable and well-documented, and the book contains an adequate index, a bibliography and a table of cases. It is an example of good but unpretentious book design and reflects further credit on the publisher, who has produced a number of valuable scholarly monographs in international law.

JOHN HENRY MERRYMAN

Stanford University  
School of Law

Michigan. University. School of Law. *Current Trends in State Legislation, 1955-56*. Ann Arbor, 1957. Pp. 929. Price?

The Legislative Research Center of the University of Michigan Law School has produced the third and last, in this form,

of its critical surveys of selected state legislation. Future publications will be devoted to a single subject with a proposed model statute. The current large volume consists of twelve detailed studies covering a wide field: Broadcasting and Telecasting of Judicial and Legislative Proceedings, Legislative Review of Administrative Rulings, Emancipation of Minors, Hospitalizing the Mentally Ill, etc. These studies give thorough consideration to the problems which recent statutes have undertaken to solve. The comparison is critical. Sometimes a model or draft statute is proposed and annotated. When important, statistics are included. While law reviews frequently cover the same ground, this is an important collection to cover areas that State Legislative Councils do not always explore. By use of the Michigan series, a duplication of effort can be avoided. The type is good; the paper is good. There is an extensive table of statutes. There is no index because desired subject matter can be located through the table of contents. This is a worthwhile book for bar libraries and law school libraries; it is probably not so important in firm libraries where space is limited.

JOHN W. HECKEL

Los Angeles County Law Library

Musmanno, Michael A. *Verdict! The Adventures of the Young Lawyer in the Brown Suit*. New York: Doubleday, 1958. Pp. 384. \$4.50.

Men of law should never write autobiographies; it is better that they take their chances that others will see to it that their exploits are not lost in the desert air. The very nature of a lawyer's calling—to advocate—makes his writing appear to be a brief for a client. I have never yet read a lawyer's own story that did not, in spirit, violate canon 27.

Michael A. Musmanno was a successful, honest, effective lawyer who occasionally brushed against great affairs and great names. He rose from lowly beginnings to some prominence and therein lies the value of the book. If you do not mind lit-



erally oceans of metaphors, Mr. Tutt type melodramas and a book better addressed to a jury than the public, you can here get some insight into one man's rise to success in the law.

EDWARD J. BANDER

U. S. Court of Appeals Library, Boston

Proctor, Charles W. *Authorities and Rights of Interstate Truckers*. Charlottesville: Michie, 1958. Pp. 712. \$20.00.

Among regulated American industries (which one is not?) the motor carriers have long been singled out for particularly severe restriction and control. Here, more than in any other field of regulation, competing policies have clashed sharply. Much of the restrictive legislation was due to anti-truck lobbying by various interest groups, especially railroads, who occasionally resorted to criminal conspiracy in violation of the Sherman Act in order to curtail the truckers' competition. See *Noerr Motor Freight, Inc. v. Eastern Conference of Ry. Presidents*, 155 F. Supp. 768 (E. D. Pa. 1957), decided apparently after the press date of the instant book.

Excepting the (National) Motor Carrier Act itself, with which the instant work is predominantly concerned, this field too is marked by singular legislative stupidity in creating stimuli of the most inappropriate sort in expectation of certain desired responses. For example, the *Tank Truck Rentals* and companion cases, 78 S. Ct. 507, 511 (1958), likewise decided after the press deadline of this work, are dealing with restrictive weight legislation passed in various states in utter disregard of existing industry conditions (e.g., liquid carriers' standard tank capacities) so that "trucking operations were so hindered by this operation that . . . bulk liquid truckers could not operate profitably. . . . Operation of partially loaded trucks . . . not only would have created safety hazards, but also would have been economically impossible." *Id.* at 508. Thus, a whole industry was driven to intentional violation of laws in order to preserve its legiti-

mate and, as far as our national economy is concerned, more than desirable existence. The ends sought by this legislation, on the other hand, were completely frustrated. To be quite sure, as the road tests discussed in *Noerr, supra*, indicated, there was no legitimate excuse for such unreasonable weight restrictions for purposes of road preservation to begin with. These statutes can be defended only as subterfuge state revenue measures. Thus, fines paid thereunder ought to be deductible on the truckers' income tax returns, but just this the Supreme Court denied in *Tank Truck Rentals, supra*. Moreover, "innocent violations" resulting in fines, e.g., axel weight violations due to accidental cargo shift, are treated like willful violations under most state statutes, due to legislators' and judges' absurd belief in the effectiveness of punishment befalling the careful and the careless, the guilty and the innocent alike. Compare *Commonwealth v. Olshefsky*, 64 Pa. D. & C. 343 (1948).

It is obvious that an industry so harassed by unintelligent legislation can operate only with constant legal advice. It is surprising, therefore, that up till now there was no practitioner's handbook dealing with the matter. For that reason, the author, Mr. Charles W. Proctor, of the Massachusetts Bar, deserves special commendation for having taken the initiative. This book is well written and excellently footnoted. Most case references are, of course, to decisions of the Motor Carriers Commission. It is fairly comprehensive in dealing with the legal problems of interstate motor carriers arising under the (National) Motor Carrier Act and with a few incidental problems arising outside that legislation, e.g., c. VIII (M). But the title of the book is definitely too broad. The interstate trucker's legal difficulties frequently arise out of conflicting state legislation governing their activities in the areas to and through which carriage proceeds. Such problems have not been dealt with in this book. Thus, the author's textual statement that "a motor carrier's use of the highway is subject to

such conditions as the legislature of the particular state may see fit to impose," is not backed up by information (p. 139).

Let us hope that the author will find the energy to follow up his present work with a second volume dealing with the interstate motor carrier's problems arising out of state legislation.

GERHARD O. W. MUELLER

Yale Law School

United Nations. *Laws and Regulations on the Regime of the Territorial Sea* (United Nations Legislative Series). New York, 1957. Pp. 811. \$7.00.

MacChesney, Brunson. *Situation, Documents and Commentary on Recent Developments in the International Law of the Sea* (Naval War College, International Law Situation and Documents, 1956, v. 51). Washington: G.P.O., 1957. Pp. 629. \$2.75.

Visser 'T Hooft. H. Ph. *Les Nations Unies et la Conservation des Ressources de la Mer, Etude des Rapports entre le Codificateur et le Milieu Politique*. La Haye: Martinus Nijhoff, 1958. Pp. 425. Gld.24.-

The growing interest in the law of the sea, particularly in regard to territorial waters, continental shelf and fisheries, is evident by the ever increasing number of publications discussing these subjects or presenting documentary materials. Following the booklet entitled *Interamerican Law of Fisheries* (1957) (see 51 *Law Library Journal* 64, 1958) three important publications have been added.

The United Nations publication is divided into three parts: one containing national legislation, another treaties, multilateral as well as bilateral. Particularly valuable is the collection of municipal statutes on the juridical status, breadth and delimitation of the territorial sea, position of vessels in this area in regard to navigation, customs, etc., as well as criminal and civil jurisdiction. Added are statutory materials on the position of warships in territorial waters on fishing and neutrality. Like its predecessors (*Laws and Regulations of the High Seas*, 2 v.,

1951, 1952) the present collection is a useful universal encyclopedia of documentary materials on territorial waters and related subjects.

The publication prepared by MacChesney is, with the exception of a few pages, a compilation of documents regarding the law of the sea in general. Starting with a problem based on the *Altmark Case*, the book continues with judicial and arbitral decisions regarding the law of the sea (e.g., the *Anglo-Norwegian Fisheries Case*). They are followed by various proposals regarding the law of the sea, among others those related to interamerican developments. Then an exhaustive collection of treaties on conservation of maritime resources as well as on fisheries is presented. A large section is devoted to national legislation in these matters, followed by maritime conventions of general interest. The final part contains documents related to air space in connection with the sea, including long range weapons testing agreements. The book contains a wealth of materials. There are a few bibliographical notes inserted in the text, in addition to exhaustive data accompanying various documents presented.

The third publication by Visser is of a different type. Starting from a broad discussion of codification in international law and of the methods developed in regard to the conservation of maritime resources by the International Law Commission, the author in the last part of this interesting book discusses two main factors involved in such attempts. They are the *intérêt général*, the common interest of all nations in having the question settled equitably, on the one hand, and the *milieu politique*, the *résistance des faits*, or as we may say, facts of political life, particularly nationalistic tendencies, of the other. It may be noted that recently a similar approach was used by McDougal and Burke in their interesting study *Crisis in the Law of the Sea: Community Perspective Versus National Egoism* (67 *Yale Law Journal* 539, 1958). The book has extensive bibliographical data after each of the three parts, mainly United Nations

documents. Additional data are available from numerous footnotes.

In spite of some duplications, the compilations by the United Nations and MacChesney will be valuable additions to every law library. The study by Visser is to be recommended to libraries with interest in international law.

S. A. BAYITCH

University of Miami  
School of Law

Wortley, A. B., ed. *The United Nations: The First Ten Years*. Manchester, Eng.: University of Manchester Press, 1957. (Distributed by Oceana Publications) Pp. 206. \$5.00.

Asher, Robert E., ed. *The United Nations and Promotion of the General Welfare*. Washington: Brookings Institution, 1957. Pp. 1216. \$8.75.

About a dozen years ago, Mr. Justice Douglas, in a Foreword to a symposium on the United Nations, warned that a system of world organization "built to preserve a status quo would soon become a crushing, suffocating influence." His brilliant predecessor on the High Bench, Mr. Justice Brandeis, remarked in another connection: "We are making laws for the community. We cannot make the community fit the laws."

These two books are documented demonstrations that the system of world organization which has emerged in the decade following the signing of the U. N. Charter has, generally speaking at least, avoided these pitfalls of staticism and rigidity. They offer uncontrovertible testimony to the United Nations' growth and development. Not that this growth has been altogether uniform, or that either has occurred painlessly.

Inasmuch as the Asher volume deals not at all with the peace-maintaining function of the world organization (with the exception of a brief section on "Collective Measures against Future Aggression") and the Wortley book devotes only thirty pages to it, there is little focus placed on those areas where growth has been stunted most severely. This politi-

cal immaturity stands in marked contrast to the gargantuan strides taken by the United Nations in the economic and social fields. As the machinery for the maintenance of peace has been increasingly decentralized ("regionalized", if you prefer) and the settlement of international security questions removed from the U. N.'s competence, the promotion of the general welfare has come more and more to occupy the time, effort and financial resources of the world organization with telling effect throughout the world.

*The United Nations: The First Ten Years* comprises a series of public lectures delivered at the University of Manchester by a number of English scholars, mostly lawyers. Its eleven chapters are carefully drawn, frequently brief, sketches of the principal organs and several of the specialized agencies of the U. N. The lectures are not merely descriptive. They are critical, and often incisive. They are concerned both with the "is" and the "ought-to-be." The chapters on the Secretariat and the International Court of Justice are particularly stimulating. Some chapters, such as that on the International Bank, are remarkably detailed and technical for so small a volume. The emphasis throughout on the legal aspects of the area with which the lecturer is concerned should make this book a particularly useful tool in a law library.

*The United Nations and Promotion of the General Welfare* is part of a series of studies which is being published by the Brookings Institution in the form of seven volumes, of which several have already been published. This is the third volume, and embraces within its more than 1200 pages the United Nations activities in the economic and social fields, with special attention given to human rights and colonial problems.

Its scope is enormous and its comprehensiveness a bit staggering. Yet, despite its broad sweep, the book is readable and well-organized. A vast panorama of organizational framework, complex activities and difficult social problems is placed before the reader in digestible, although certainly not capsule, form.

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Despite its generally non-political subject matter, the book is not without important political insights. "Within the framework of the United Nations," Asher observes, "moral issues, if they are resolved at all, are resolved in political terms and in political forms." (p. 637) And, speaking of human rights, he concludes: "All Members (of the U. N.) must be brought to recognize again the cooperation among sovereign governments depends on a meeting of minds, not a mustering of votes." (p. 1067) Indeed, constructive international cooperation in general "cannot be forced by a majority vote." (p. 1045)

Both of these books clearly demonstrate the truth of these basic notions in page after page. Both serve to point up the axiomatic proposition that "no society, whether national or international, is any more effective than its members allow it to be." (Wortley, p. 32).

There is no dearth of comment and criticism in these two works with which this reviewer, and no doubt many a reader, would disagree. In the book edited by Wortley, some of the failures attributed to the Security Council are slightly prematurely labelled as such, even at this late date. And the characterization therein of the usurpation of the functions of the Security Council by the General Assembly as "healthy" despite "legal technicalities" is highly debatable. The discussion in the Asher book of the attitude of the United States toward technical assistance to so-called undeveloped countries, "in the face of the financial claims of rearmament and existing commitments . . ." is, to say the least, extremely uncritical. Similarly, the treatment of colonial progress and problems is far more optimistic and pollyannaish than the contemporary facts of international life would seem to warrant.

There have been other books published similar in form and purpose to that edited by Professor Wortley. It may be doubted if any of them do the job as effectively and concisely as this one. The volume put out by the Brookings Institution, on the other hand, stands practically

alone in its field as an encyclopedic examination of the social and economic activities of the United Nations. Both represent valuable additions to the seemingly endless sea of literature concerning the world organization.

EMANUEL MARGOLIS (PH.D.)

Member, Connecticut Bar

Cuninggim, Merrimon; Stumpf, Samuel Enoch; Beutel, Frederick K.; Harding, Arthur L. *Free Man Versus His Government*. Dallas: Southern Methodist University Press, 1958. Pp. 117. \$3.00.

This volume consists of four papers presented at the 1957 Conference on Law in Society held at Southern Methodist University; it is the fifth study in the theory of law in the Southern Methodist University *Studies in Jurisprudence* series.

Professor Cuninggim's essay *Freedom to Believe* relates his rather pragmatic concept of the constitutional position of the religious freedom "to speak and act." The professor, by reference to most of the United States Supreme Court decisions in this area under the First and Fourteenth Amendments, establishes to his (and my) satisfaction that, "Freedom to believe is the possession of any person up to the point at which he seriously offends Christian sensibilities." This approach to Constitutional Law nicely manages to undermine every announced standard of the Supreme Court on the subject.

Professor Stumpf's *Freedom to Learn* discusses the balance of power situation involving society's "interest" in order and stability, and the freedom to speculate. He undoubtedly states the problem well: "men are willing to engage in a fierce competitive struggle in the economic market . . . but will not tolerate a similar competition in the market place of ideas where the outcome may change the rules of the whole system." The professor, I believe, fails in his attempt to substitute a "third" definition of the "democratic conception of truth"—an attempted compromise between James and Aquinas. But my view, perhaps, is colored by an acceptance of Pierce, James and Holmes.

Frederick Beutel's paper, *Freedom of Political Association*, gently and charmingly chides his Texas audience over several Texas activities which reached the United States Supreme Court, where appropriate discipline was rendered. The professor establishes the constitutional basis for association for political action and, subsequently, discusses the apparently insoluble "private interference" problem. Personally, I am not sure that Professor Beutel has significantly increased the constitutional protection surrounding the right to vote and freedom of assembly by creation of a "freedom of political association." It makes interesting reading, however.

The paper by Professor Harding, *Freedom to Use Property*, is a moderate, somewhat philosophical discourse on the institution, property. One could easily disagree with his basic premise that there is a "Natural Law of property" and that twentieth-century American law is recognizing it. But, natural lawyer or not, one can enjoy reading this provocative little essay.

The reviewer recommends the collection to all libraries. Non-lawyers, law students and the bar will spend, as the reviewer did, one or two pleasant hours reading these papers by erudite scholars on four timely concerns.

C. C. ALLOWAY

University of Miami  
School of Law

David, René and De Vries, Henry P. *The French Legal System; an Introduction to Civil Law Systems*. New York: Parker School of Foreign and Comparative Law, Columbia University, 1958. (Distributed by Oceana Publications) Pp. 152. \$5.00.

Small books on large subjects and little knowledge of difficult problems have much in common: both are attractive, and both are equally disturbing to the serious-minded, since they give to the initiated nothing, and to the unwary a misplaced feeling of something.

In spite of such reservations that apply particularly to professional publications,

the book is a readable and stimulating introduction to characteristic features of French law, not through a discussion of fundamentals, but through challenging comments and lucid observations. The materials are presented in three parts. The first is entitled French Legal Tradition, and deals with the Civil Code and its historical background, with the "law professionals" (bench, bar and chair) and with the political and judicial organization. Part two contains a description of some parts of French law, as, for example, private and public law, commercial, labor and tax law. The third part brings, under the title of Techniques and Authoritative Guides, a useful discussion of statutory interpretation, precedents and doctrine.

The chapters are followed by recommended readings, containing selective bibliographies both of works in English and French. Unfortunately, a few important items are missing; among others, the still useful Borchard and Stumberg, *Guide to the Law and Legal Literature of France* (1921), Brissaud, *A History of French Private Law* (1912), Von Mehren's impressive *The Civil Law System* (1956), and Marke's excellent bibliography in *The Code Napoleon and the Common Law World* 403-421 (1956). Now the article by Razi, *Guided Tour in a Civil Law Library* (56 *Michigan Law Review* 375, 1958) should be added.

The appendix contains bibliographical notes on French works; however, Grandin's *Bibliographie des Sciences Juridiques* (1926- ) should be added. The list of codes (p. 147) should not have omitted the Code de Aviation Civile et Commerciale (1955).

S. A. BAYITCH

University of Miami  
School of Law

Davis, Harold Eugene, ed. *Government and Politics in Latin America*. New York: Ronald Press, 1958. Pp. 539. \$6.50.

Even if primarily designed to be a college text for courses in Latin American government and politics, the collection of eighteen, well-written and documented

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contributions deserves the attention of law libraries.

Contributions discuss mainly problems of politics and are divided into three groups—one on dynamics of politics and power, the second on the structure and functions of political power, and the last on the expansion of government. Among these contributions a few are of special interest to comparativists: on constitutions and the structure of power (Blanksten), the presidency (Davis), legislature and legislation (Scott), law and court systems (Clagett), municipal government (Mouchet), and organization and conduct of international relations (Brandenburg).

Each contribution is followed by suggestions for readings containing a reliable selective bibliography. The publication is to be recommended to law libraries interested in comparative, particularly Latin American, law.

S. A. BAYITCH

University of Miami  
School of Law

Fellman, David. *The Defendant's Rights*. New York: Rinehart, 1958. Pp. 356. \$5.00.

Professor Fellman's work was supported by a grant from the Fund for the Republic and one from the University of Wisconsin. Both institutions are to be congratulated for their faith; *The Defendant's Rights* is, at least to this reviewer's knowledge, the first comprehensive, well organized, very readable statement—which can be understood by lawyers and laymen—on the galaxy of rights (substantive and procedural) generally available to an accused.

The book comprehends most of the rights and privileges one normally thinks of, in this connection: (1) arrests; (2) arraignment; (3) bail; (4) notice and hearing requisites; (5) habeas corpus; (6) juries; (7) counsel; (8) searches and seizures; (9) self-incrimination and confession; (10) double jeopardy; and (11) cruel and unusual punishment. In each chapter the author relates the federal law and "rather broad generalizations about the general tendencies of state law." Occasional criti-

cal comment and suggested reform measures are appropriately reflected.

As a bonus to the reflective reader the professor has dealt with the class of defendants he characterizes as "quasi-defendants," the loyalty defendant, legislative investigative defendant, and the alien and passport defendants. His treatment of these fields is, fortunately, restrained and moderate.

The work is, of course, competitive, in part, with other published statements.<sup>1</sup> However, I do not believe that this detracts from the value of the professor's book; its generality and comprehensiveness should lend considerable attractiveness to lay-readers, law students and lawyers. I recommend it for all libraries.

C. C. ALLOWAY

University of Miami  
School of Law

Heath, Spencer. *Citadel, Market and Altar; Emerging Society*. Elkridge, Maryland: Science of Society Foundation, Inc., 1957. Pp. 223, appendix and glossary. \$6.00

"Coercion, cooperation and consecration" are the keys to the title. The author looks at his world and sets out to interpret the inter-relationship of the political, economic and spiritual aspects of life. Spurning more conventional terminology, he pounds out his own concepts and expresses them surefootedly.

Man, he contends, has lost his freedom in the Market; hence government is called in to use force and the things of the spirit are debased. The way out is a broadening public administration resting on consent and exchange. This organization leaves the entrepreneur for special task operations. A hyphen in social-ization separates the author from Marxism. But he has read again and again his Marx as well as Jefferson, Adam Smith, Freeman and Kropotkin.

Anglo-Saxon society before 1066 is romanticized and many of his historical judgments are arbitrary and dated as well.

1. E.g., REPORT OF THE SPECIAL COMMITTEE ON THE FEDERAL LOYALTY-SECURITY PROGRAM OF THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK (1956).

He sweeps on with considerable erudition and finishes with the flourish of a hopeful humanist.

Writers of the "earth shall be fair" school are commonly appealing. But they consistently forget the "old Adam" in mankind.

ARNOLD R. VERDUIN (Ph.D.)

St. Faith Episcopal Church  
Perrine, Florida

Holzman, Robert S. *Arm's Length Transactions*. New York: Ronald Press, 1958. Pp. 169. \$10.00.

Holzman, Robert S. *The Tax on Accumulated Earnings*. New York: Ronald Press, 1956. Pp. 136. \$10.00.

Lore, Martin M. *Thin Capitalization*. New York: Ronald Press, 1958. Pp. 261. \$10.00.

These are the first three in a series of matched, coordinated volumes aimed at most of the key areas where substantial tax savings are won or lost today. The series is labeled *The Tax Practitioners' Library*, but the scope and the treatment of the subject matter make this beginning of the eventual eleven volume "library" a profitable source of reference material for corporate executives and investment counselors as well as for their tax advisors.

The authors are widely known to businessmen and tax specialists. Professor Holzman, author of the first two volumes and general editor of the entire series, is Professor of Taxation at the New York University Graduate School of Business Administration. The third book was written by Martin Lore, who is co-editor of the *Journal of Taxation*. Neither of these men writes with very much literary distinction, but the style of their writing is extremely readable—much in the fashion of the late Randolph Paul's younger years.

Perhaps the most significant feature of the series is that a section of each volume presents a surprisingly complete plan of attack with reference to the key problems considered. A second and equally rewarding feature is that each volume contains the arguments and the decisions of the

pertinent court cases in capsulized form. The late J. K. Lasser would have applauded this. Actually, the arrangement of cases by issues raised—together with the court's reaction—does give insight into the rationale at work in ascertaining the nature of the problem and the nature of the law governing it.

Each volume is thoroughly indexed and contains a fairly extensive bibliography as well as a case index.

Whether or not a particular law library should acquire this series (incidentally, these books are available at \$8.50 each on subscription to the series of eleven volumes) depends, in large measure, on the use of the library by tax practitioners, corporate executives and investment counselors. Members of this "inner circle" will bless the librarian who makes available these volumes. If your library doesn't cater to active practitioners who need and seek a means of reducing tax research time, refrain from subscribing to this series and save your money for something more academically stimulating.

RICHARD A. HAUSLER

University of Miami  
School of Law

*Juris-Classeur de Droit Comparé*. Rédacteur en Chef: Berthold Goldman. Paris: Editions Techniques, S.A., 1958. Looseleaf. Fr. 9,000 or \$22.00; service subscription for 1958, Fr. 1,200 or \$3.00.

*Juris-Classeur* is the collective name for a series of French looseleaf services on French civil, commercial, notarial and labor law and many other phases of French law. These looseleaf services are of the greatest importance in research concerning the French statutory, decree and case law and provide the best introduction to the law applicable to particular problems of French law.

The new looseleaf service on "comparative" law deals with the law of capacity, family law, the law of succession and inheritance as well as problems of private international law (i.e., the international conflict of laws) of many countries and jurisdictions, including North Africa, Eu-

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ropean (also East European) and Latin American, and other countries. There are separate chapters for each country and sub-chapters within these chapters, arranged by subject matter. In some instances, the text of statutes or code sections is presented; in other instances, the subject matter is dealt with in essay form. The French language is used throughout the volume. There are tables of contents and subject indexes for each chapter and bibliographical data are presented frequently.

As works on foreign law which deal with subjects as they appear in numerous countries provide easy access to foreign law problems and the study of comparative law, particularly if published in looseleaf form and kept up to date with supplements, *Juris-Classeur de Droit Comparé* will be found helpful in many libraries. Earlier and still useful works of a similar character, but more limited in the selection of topics, are the looseleaf works by A. Bergmann on *Internationales Ehe- und Kindschaftsrecht* (3d ed., 4 vols., published since 1952), A. N. Makarov on *Quellen des Internationalen Privatrechts* (published since 1953) and M. Ferid and K. Firsching on *Internationales Erbrecht* (1955). However, if the supplementation of previous *Juris-Classeur* volumes should be the model for the supplementation of the comparative law volume, the servicing done by *Juris-Classeur* would be by far superior to that of the other above-mentioned sets.

The publisher states that the filing of the looseleaf services will take half an hour each time, on the part of an inexperienced person. *Juris-Classeur* services which have been published previously can be filed satisfactorily by persons who have no or little knowledge of the French language.

WILLIAM B. STERN

Los Angeles County Law Library

Kaplan, H. Eliot. *The Law of Civil Service*. Albany: Matthew Bender, 1958. Pp. 440. \$11.00.

Prepared through a special grant of the

Carnegie Corporation of New York, this book is the first basic and authoritative treatise published in the specialized field of civil service law. The author, who has been general counsel to the National Civil Service League for twenty years and has served in many capacities on various state and federal personnel boards, is excellently qualified to write such a text. He has cut across federal and state civil service systems, selected those principles common to all and has developed a lucid, well-organized and well-annotated book on most phases of civil service legal problems. The chapters on Disciplinary Actions and Veterans Preference, which cover about one-fourth of the text material, are especially well done.

The Index is adequate and the Table of Cases a delight. The latter has 44 pages of cases in small type, containing citations to both state reports and the reporters as well as the citations to text references. It is regrettable that the statutory references in the text also were not compiled to form an equally useful table of constitution and statutory citations arranged by state.

Since the book was written for the public administrator as well as the lawyer, the first chapter describes the development of the civil service merit system and the appendix contains a model state civil service law and other items of interest to him.

The book is an excellent reference work in its limited field and should be of value to libraries servicing government clientele and lawyers working in the government personnel field.

LILLIAN MCLAURIN

Tax Court of the United States

Brierly, James Leslie. *The Basis of Obligation in International Law and Other Papers by the Late James Leslie Brierly*, selected and edited by Sir Hersch Lauterpacht and C. H. M. Waldock. Oxford: Clarendon Press, 1958. Pp. 387. 50s.

Brierly was Chichele Professor of International Law at Oxford from 1922 to 1947; yet apart from his well-known and

brilliant introduction to International Law—*The Law of Nations*—it has been customary to assume that his output in the field in which he was such a master was small. This collection of his works, edited by Judge Lauterpacht, at one time his counterpart at Cambridge and now Judge of the International Court at the Hague, and by Professor Waldock, his successor at Oxford, will do much to dispel this illusion, and at the same time will pay a fitting tribute to a fine international lawyer.

Brierly was opposed to the positivist concept of international law; he was willing to criticize the alleged advantages of the traditional formulae of the international legal system, and he attempted to set the law in its social context. Although this will not surprise American readers unduly, it is a very brave view for an Oxford man to take; and, at the time much of his work was written, it was an "advanced" view of the law by any standard. It is probably for this reason that even today, articles written by Brierly thirty years ago, and reproduced here, have what seems a modern and refreshing touch.

The collection is definitely a selection, and not an attempt to collect all his works; although as the editors point out, with *The Law of Nations*, *The Outlook for International Law*, and *Règles Générales du Droit de la Paix*, (the 1936 Hague Academy Lectures), it could be said to represent a fairly complete picture of his contribution to International Law. But even without these others, the selection gives a good idea of his work. There is something for everyone. The articles reproduced cover so many aspects of international law that the index reads more like an index to a textbook on international law than to a selection of essays. Whether the interest is the *Lotus* case, the Kellogg-Briand Pact, codification, or the teaching of international law, there is something about it here. For this reason, it seems a pity that the editors chose to entitle the book after one article—albeit an excellent one—that takes up only about one-sixth of the book. Most

readers will glean far more from the twenty-eight other articles which are reprinted, not to mention the Introduction and Appreciation by the Editors.

All law libraries need this book, and no doubt in many of them it will end on the "Permanent Reserve" shelf. In addition, political science faculties are sure to request it; and with its sensible approach to international law, the book is ideally fitted for purchase by those relatively few college librarians who will not already have received requests for its purchase.

ROBERT B. STEVENS

Yale Law School

Lyon, Boyce D. *From Fief to Indenture*. Cambridge: Harvard University Press, 1957. Pp. 331. \$8.00.

This work, by a professor at the University of Illinois, represents the sixty-eighth volume in the well-known Harvard Historical Studies Series. The object of Professor Lyon's task is to reanalyse the part *fief-rente* played in feudal times and to evaluate it in the light of the general decline of feudalism. Whereas in the past the traditional approach, as exemplified by Sczaniecki, was to treat *fief-rente* as but a type of the ordinary fief, Lyon convincingly portrays it as an independent species, having a great importance in its own right. He argues that the payment for feudal services represented by this relationship marked a fundamental change in the approach to feudalism and an important link to the development of professional armies in the fifteenth century.

The form of exposition used makes the book easy to follow. To begin with, a clarification of the terminology to be used and the chronology of *fief-rente* is a great asset. After this, the *fief-rente* in relation to custom, finance, politics and diplomacy, and its military aspect, are logically analysed. But most readers will find the last chapter, on its decline, the most interesting, for it is there that Lyon puts forward his most challenging and original views.

This book is an important contribution

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to legal history. It represents a wider comparative analysis of the topic than has been attempted before, for the research covers Germany, France, England and the Low Countries and ranges back to the eleventh century and forward to the fifteenth. Nor is the research easily available elsewhere, for such of it that has been published previously has been mainly in foreign language learned journals. Clearly then every law library which thinks of its legal history section as exhaustive should have this book, and no doubt most college and university libraries with history sections will order it automatically. Yet for the average law library, serving the usual course in legal history, this book will have to be classified as a luxury rather than a necessity.

ROBERT B. STEVENS

Yale Law School

MacDermott, John Clarke, baron. *Protection from Power under English Law*. London: Stevens, 1957. Pp. 196. 16s. 6d.

This charming, slim (196 pages) volume was authored by the Lord Chief Justice of Northern Ireland and published under the auspices of The Hamlyn Trust. The Trust was established by Miss Emma Warburton Hamlyn, of Torquay, who died in 1941, aged 80. Miss Emma "inherited a taste for law, and studied the subject." Lord MacDermott's lecture is the ninth which her trust funds have made available "in book form to a wide public." The reviewer has read only the present volume, but if the other eight works are comparable, Miss Emma has done a very good thing.

Lord MacDermott is interested in power, governmental and private, its impact upon the individual and the function of law as a balance between power, however organized, and the individual's liberty, traditional to "our long history." Each chapter is devoted to a facet of his interest: chapter one deals with the Crown's power to prosecute; chapter two, with the sovereignty of Parliament (a large portion of this material we would classify as administrative law); chapter

three, The Power of the Executive, with judicial control of executive action and Crown immunities; chapter four, with the problem of legal assistance to the less wealthy and the development of the English workmen's compensation principle; chapter five, with what we would classify as anti-trust and restraint of trade measures; chapter six, The Power of Numbers, with trade unionism. In each chapter the author relates the relevant, basic statutory materials, including interesting legal antiques, many of which one recognizes as part of our earlier American law.

Without the possibility of a written constitution, effectuated by judicial review, Lord MacDermott is forced to something "not law at all; on something that resides . . . in the common, cognate, virtues of courage, kindness and honesty, in the lustre of the spirit, in the faith and vision that nourishes and upholds all else" to forestall absolutism in the modern industrial state. I think it is quite possible that the American judiciary is able to do little more.

Anyone interested in law and government will enjoy these moderate, lucidly presented thoughts of a scholarly gentleman concerning a problem which seems to be so much in our minds today.

C. C. ALLOWAY

University of Miami  
School of Law

McKay, Robert B. *An American Constitutional Law Reader*. New York: Oceana Publications, 1958. Pp. 256. \$1.00. (Paper)

Professor Robert B. McKay's 256 page volume has been published as a part of Oceana's Docket Series and is, I believe, the best collection of materials in the Series.

The introduction announces the purpose of this work: "It is hoped that this volume, while of course not a comprehensive treatise . . . , will provide the essential materials for comprehension of the . . . Constitution of the United States." Any constitutional law teacher who devotes some 64 hours each semester,



in connection with casebooks ranging from 1400 pages or more, to instruction of students, many of whom still do not appear to have learned the subject, might view Professor McKay's purpose rather dimly. However, the editor has interwoven key constitutional decisions, excerpts from constitutional scholarship, with connecting text, to organize a very readable, fairly comprehensive portrayal of United States Constitutional Law and the judicial process which supports it.

Part One, Judicial Review, describes the position of the Supreme Court under our Constitution; included therein are *Marbury v. Madison* and a portion of Justice Jackson's *The Supreme Court in the American System of Government*. Part Two, Congress and the Legislative Power, collects material on selected powers of the Congress. Several of the more aged Supreme Court opinions are mentioned in a context which reveals the various positions of the Court in interpreting the Congressional power clauses. Part Three, The President and the Executive Power, contains a lengthy excerpt from Corwin and Koenig's *The Presidency Today*, certainly an excellent statement on the subject, and an interesting letter (which the reviewer had not read before) from Professor Sutherland to Representative Celler concerning the Presidential disability area. Part Four, Constitutional Limitations on the Power of Government, ranges for 96 pages over the problem of federalism under the Fourteenth Amendment, the First Amendment freedoms, the desegregation decisions and the Fifth Amendment self-incrimination clause.

Fortunately, the editor has included references to the several startling opinions of the Supreme Court of the most recent terms. In this connection, the impact on the *Dennis* standards of the *Yates* opinion is discussed and the *Watkins* opinion has been excerpted. However, the editor did not include any of the various federal court activities involving the aftermath of the *Brown* implementation decree.

The notes are collected at the end of each part of the volume and there is an index, a table of Supreme Court Justices, a selected bibliography and the Constitution of the United States.

The reviewer believes that this volume should be purchased by general libraries for lay readers and law school libraries for use by students before they take a formal course in Constitutional Law.

C. C. ALLOWAY

University of Miami  
School of Law

Seyid Muhammad, V. A. *The Legal Framework of World Trade*. New York: Fredrick A. Praeger, 1958. Pp. 316. \$9.50.

This book is essentially an analysis of the General Agreement on Tariffs and Trade (GATT). The GATT, as its name implies, was not originally created as an International Governmental Organization but rather as a multilateral treaty between the principal trading nations of the world (except for most of the centrally planned economies.)

In the course of preliminary talks pursuant to the Mutual Aid Agreement between the United Kingdom and the United States held in 1945, the United States proposed an international conference on trade and employment. The Economic and Social Council of the United Nations passed a resolution in 1946 calling for such a conference and appointing a preliminary committee. At the first session of this committee in London in 1946 the desirability of a multilateral trade agreement embodying tariff concessions was recognized. Thus the various participating nations met in Geneva and initiated tariff negotiations while the committee continued with the work of drafting a basic charter pertaining to international trade resulting finally in the adoption of the Havana Charter in 1948. At the same time the tariff negotiations in Geneva were concluded and by a protocol of Provisional Application the signatories of GATT gave effect to the agreement on a provisional basis as of January 1, 1948.

However, the Havana Charter was never submitted to the United States Congress for ratification and was therefore killed along with the proposal contained therein concerning the establishment of an International Trade Organization (ITO) which was designed to be the administering organization for the GATT. Thus the Agreement had come into force without the creation of the international organization which was to have administered it.

The author traces the evolution of the small provisional Secretariat that has in fact administered GATT. It was initially designated the Interim Committee for the International Trade Organization (ICITO) until it became apparent that the ITO was doomed, whereupon it was redesignated the Secretariat of GATT in 1953. The staff of this Secretariat is one of the smallest of any global international organization, yet it has successfully provided the necessary administrative services to the contracting parties in the negotiation of tariffs pursuant to the Agreement. Recently the Agreement has been revised and a more formal administrative organization has again been proposed, entitled the Organization for Trade Cooperation (OTC). As in the case of the ITO, the approval by the United States will mean life or death for the new organization. The President of the United States has recommended that the United States participate in the OTC but as of this date the Congress has not acted.

The author examines the evolution of GATT as an international organization, as distinguished from a multilateral treaty, describing in detail the various organs of the GATT and the procedural aspects of tariff negotiation. In addition the author discusses the incorporation into and application by GATT of so-called principles of International Economic Law, a term employed primarily by Georg Schwarzenberger to encompass such concepts as the most favored nation clause, reciprocal treatment, preferential treatment, equitable treatment, etc., in international trade.

The problem areas of state trading

(Czechoslovakia is the only centrally planned economy which is a member of the GATT) and Regional Organizations (e.g., customs unions and the common market) are discussed insofar as they are affected by the provisions of GATT. However, no attempt is made to evaluate the effect of GATT on the pattern of world trade, although the author does discuss the application of the "general principles of International Economic Law" by GATT at various points throughout the work and in the concluding appraisal of GATT.

The author recognizes that one of the most significant structural weaknesses of the GATT is the absence of any method of settling disputes by the Organization, such as permanent arbitral machinery (as employed by the International Monetary Fund or the World Bank.)

Mention is made at various points in the book of the effect of the GATT on the underdeveloped countries but no one chapter is devoted to the peculiar problems of these countries who are members of the organization nor to the relationship between the GATT and the International Governmental Organizations concerned primarily with technical and financial assistance to these areas.

The author's principal suggestions for the alteration of the existing framework of the Organization relates to the establishment of arbitral machinery and the creation of the OTC.

The present work constitutes a valuable contribution to the dearth of readily available material on the operational aspects of the GATT.

JESSE K. TAYLOR

Graduate Fellow, Yale Law School

Reid, Whitfield. *Estate Planning Manual*. Boston: Foundation for Tax and Estate Planning, 1958. Pp. 96. \$12.50.

The author is editor of the monthly *Journal of Tax and Estate Planning*.

This manual is divided into six major parts, subdivided into twenty-six sections. In the words of the author it "is designed to be an instruction handbook on estate planning . . . to acquaint (the reader)

with the legal mechanisms which are available . . . in working out estate planning problems. . . . It is intended to give a broad view of the tools that are available, the hurdles to overcome, and the (tax) pitfalls to circumvent."

In his introduction, Part I, the author dedicates the manual to those who prefer foresight to luck in building property assets and illustrates his economic thesis by charts. Part II is a compendium of tax considerations—covering the general impact of taxes; the federal estate tax rules; the gift tax rules; and the marital deduction as applied to income, gift and estate taxation.

Part III shows how to take the estate inventory and provides forms for use and for estimating Federal estate taxes on one's present estate. Pertinent considerations essential to a coordinated estate

plan are suggested. Part IV is devoted to basic considerations: the function of the will; the place of insurance; the pitfalls inherent in joint tenancies.

Part V dealing with the trust device is instructive. Pointing out that there are almost as many variations in trust instruments as there are lawyers who draft them, the author provides a large two-color chart insert which classifies, tax-wise, the trust devices. Details are developed in the text. Tax-savings opportunities and tax-pitfalls are highlighted.

The manual is designed for the layman but it is a good reference tool for the student. It states simply and effectively the apparatus necessary for estate planning. There are no citations. The index is adequate and the printing is excellent.

EDWARD J. BANDER

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*Joint Editors*

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Bar Association of the District of Columbia. Junior Bar Section. A manual on trial technique in administrative proceedings and illustrative Federal administrative agencies. 2d ed. Washington, 1958. 131p. \$3.00.

U. S. Dept. of Justice. Office of Administrative Procedure. Admission of attorneys to practice before Federal administrative agencies; an analysis and recommendations. Washington, Office of Legal Counsel, Dept. of Justice, 1957. var. pag. Price? (Mimeo.)

### *Air law*

Speiser, S. M. Preparation manual for aviation negligence cases. New York, Federal Legal Publications, Inc., 1958. 1022p. \$25.00.

### *Anti-trust law*

Van Cise, J. G. Understanding the anti-trust laws; including the Department of Justice and the antitrust laws, by V. R. Hansen; and The Federal Trade Commission and the antitrust laws, by J. W. Gwynne. February 1958 ed. New York, Practising Law Institute, 1958. 174p. \$2.50. (Paper)

### *Appellate procedure*

Skeel, L. E. Ohio appellate practice. Cleveland, Banks-Baldwin Law Pub. Co., 1958. 400p. \$38.75. (Baldwin's Ohio practice series)

### *Arbitration and award*

Domke, Martin, ed. International trade arbitration; a road to world-wide cooperation. New York, American Arbitration Assn., 1958. 311p. \$4.50.

### *Arrest*

Hansen, B. L. Probable cause to arrest and admissibility of evidence. Sacramento, Calif., State Print. Off., 1957. 230p. \$1.25. (Paper)

### *Atomic energy*

Schwarzenberger, Georg. The legality of nuclear weapons. London, Stevens, 1958. 70p. 10s. (Paper, 3s.6d.)

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Pt. 2, Income. Chicago, 1958. 38p. \$1.50.

Boughner, J. L. Tax planning & fee setting for profitable law practice. New York, Journal of Taxation, Inc., 1958. 106p. \$8.00. (Paper)

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# CHECKLIST OF CURRENT STATE, FEDERAL AND CANADIAN PUBLICATIONS

Revised to June 10, 1958

Compiled by FRANCES KARR HOLBROOK

PUBLICATION	SOURCE	LATEST VOL. TO APPEAR
<b>ALABAMA</b>		
Reports.....	West Pub. Co.....	266
App. Reports.....	West Pub. Co.....	38
Code Ann.....	Secretary of State.....	1940, 10v.; 1955 P. P.; 1957 Pam. Supp.
Session Laws.....odd years	Secretary of State.....	1957, 2v.
Atty. Gen. Rpts. & Ops. quarterly	Attorney General.....	87 (Apr.-June 1957)
<b>ALASKA</b>		
Reports.....	West Pub. Co.....	16
Compiled Laws Ann.....	Bancroft-Whitney Co.....	1949 (c1948), 3v.
Compiled Laws Ann., Cum. Supp.	Equity House, Orford, N. H.....	1957, 3v.
Session Laws.....odd years	Secretary of Territory.....	1957
Atty. Gen. Rpts.....biennial	Attorney General.....	1953-55
<b>ARIZONA</b>		
Reports.....	Secretary of State or Dept. of Library & Archives.....	82
Revised Statutes Ann.....	West Pub. Co.....	1956, 20v.; 1957 P. P.; Apr. 1958 Pam. Supp.
Session Laws.....annual	Secretary of State or Dept. of Library & Archives.....	1957
<b>ARKANSAS</b>		
Reports.....	Secretary of State.....	226
Statutes Unann.....	Bobbs-Merrill Co.....	1947, 2v.; 1951 Supp.
Statutes Ann.....	Bobbs-Merrill Co.....	1947, 8v. in 13; 1957 P. P.
Session Laws.....odd years	Secretary of State.....	1957
<b>CALIFORNIA</b>		
*Reports.....	Bancroft-Whitney Co.; Advance parts, Recorder Printing & Pub. Co.....	49 (2d)
*App. Reports.....	Bancroft-Whitney Co.; Advance parts, Recorder Printing & Pub. Co.....	155 (2d)
Official State Codes.....	State Printing Office.....	Various Editions
Deering's Codes.....	Bancroft-Whitney Co.....	4v.; Ann. 6v.; 1957 P. P.
Deering's Codes Ann.....	Bancroft-Whitney Co.....	25v. in 43; 1957 P. P.
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\* Advance parts available

## CALIFORNIA—Continued

PUBLICATION	SOURCE	LATEST VOL. TO APPEAR
West's Ann. Codes.....	West Pub. Co.....	77v.; 1957 P. P.; June 1958 Pam. Supp.
Session Laws.....annual	State Printing Office.....	1957, 2v.
*Atty. Gen. Op....semi-annual	Hanna Legal Pub. Co., Albany....	30 (July-Dec. 1957)
Judicial Council Rpts. biennial	Judicial Council, San Francisco....	16 (1956)
Administrative Code.....	State Printing Office.....	1945, 11v. (loose leaf)
Administrative Register (keeps Ad. Code current)	State Printing Office.....	58, no. 5

## COLORADO

Reports.....	A. B. Hirschfeld Press, Denver....	135
Rev. Stats.....	Callaghan & Co.....	1953, 7v.; 1957 P. P.
Session Laws.....annual	Secretary of State.....	1957
Atty. Gen. Rpts. & Op. biennial	Attorney General.....	1955-56

## CONNECTICUT

*Reports.....	Commission on Official Legal Publications.....	143
*Conn. Supp.....	Commission on Official Legal Publications.....	20
General Statutes.....	Secretary of State.....	1949, 4v.; 1955 Supp., 2v. and P. P.
Session Laws.....odd years	Secretary of State.....	1957 Pub.; 1957 Spec.
Atty. Gen. Rpts. & Op. biennial	State Library.....	26-27 (1949-53)
Judicial Council Rpts.....	State Library.....	15 (1956)
Departmental Regulations.....	Commission on Official Legal Publications.....	1949, 1v. (loose leaf)
Conn. Law Journal Weekly	Commission on Official Legal Publications.....	21

## DELAWARE

Reports.....	State Library.....	49
Chancery Reports.....	State Library.....	33
Code Ann.....	Edward Thompson Co.-West Pub. Co.....	1953, 15v.; 1956 P. P.
Session Laws.....odd years	State Library.....	50 (1955-56), 2v.

## DISTRICT OF COLUMBIA

U. S. Court of Appeals (D.C.)	West Pub. Co.....	101
Acts Affecting D. C.....	S. M. Banks, Washington, D. C.....	50
Code Ann.....	Government Printing Office.....	1951, 2v.; Cum. Pocket Supp. no. 6, 1957

## FLORIDA

Florida Cases.....	West. Pub. Co.....	93-97 So. (2d)
Florida Supplement.....	South Pub. Co., Miami.....	11
Statutes.....	Secretary of State.....	1957, 3v.

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## FLORIDA—Continued

PUBLICATION	SOURCE	LATEST VOL. TO APPEAR
Ann. to Official Stats. . . . .	Bancroft-Whitney Co.-Lawyers Co-op. Pub. Co.....	1956, 12v.; 1958 P. P.
Statutes Ann..... . . . .	West Pub. Co.-Harrison Co.....	1943, 31v. in 33; 1957 P. P.; Apr. 1958 Pam Supp.
Session Laws.....odd years	Secretary of State.....	1957 Gen. Laws, 2v.
Atty. Gen. Rpts. & Op. . . . .	Attorney General.....	1955-56
Judicial Council Rpts. . . . .	Judicial Council, Tallahassee.....	4 (1957)

## GEORGIA

*Reports.....	Harrison Co.....	213
*App. Reports.....	Harrison Co.....	96
Code Ann.....	Harrison Co.....	1935, 37v.; 1955 P. P.; 1957 Pam. Supp.
Session Laws.....annual	State Library.....	1958, 2v.
*Atty. Gen. Rpts. & Op. triennial	Law Dept.....	1954-56

## GUAM

Civil and Pen. Codes . . . . .	Govt. of Guam, Agana, Guam . . . . .	1953; 1956	P. P.
Civil Procedure and Probate Codes . . . . .	Govt. of Guam . . . . .	1953; 1956	P. P.
Government Code . . . . .	Govt. of Guam . . . . .	1952; 1956	P. P.
*Public Laws and Amendments to the Codes . . . . .	Govt. of Guam . . . . .	1958	

## HAWAII

* Reports.....	Clerk of Supreme Court.....	41
Revised Laws.....	Secretary of Territory.....	1955, 3v.
Session Laws..... odd years	Secretary of Territory.....	1957

## IDAHO

Reports.....	West Pub. Co.....	78
Idaho Supplement.....	Arrow Pub. Co., Boise.....	1
Code Ann.....	Bobbs-Merrill Co.....	1947, 12v. in 13; 1957 P. P.
Session Laws..... odd years	Syms-York, Boise.....	1957
Atty. Gen. Rpts. & Op. biennial	Attorney General.....	33 (1954-56)

## ILLINOIS

*Reports.....	Edwin H. Cooke, Bloomington.....	12 (2d)
*App. Reports.....	Callaghan & Co.....	15 (2d)
Court of Claims Reports.....	Court of Claims, Springfield.....	21
Revised Statutes.....	Burdette Smith Co.....	1957, 3v. (State Bar ed.)
Smith-Hurd Statutes Ann.....	West Pub. Co.-Burdette Smith Co.....	1941, 49v.; 1957 P. P. Mar. 1958, Pam.
Session Laws.....odd years	Secretary of State.....	Supp. 1957, 2v.
Atty. Gen. Rpts. & Op. even years	Attorney General.....	1956
Atty. Gen. Op.....odd years	Attorney General.....	1955

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## INDIANA

PUBLICATION	SOURCE	LATEST VOL. TO APPEAR
Reports.....	Supreme Court Reporter.....	236
App. Reports.....	Supreme Court Reporter.....	126
Burns' Statutes Ann. ....	Bobbs-Merrill Co.....	12v. in 23; 1957 P. P.
Session Laws.....odd years	Secretary of State.....	1957
*Atty. Gen. Op.....annual	Attorney General.....	1957
Administrative Rules and Regulations.....	Secretary of State.....	1947, 2v.; 1948-58 Supp., 11v.; 1958 Supp.

## IOWA

Reports.....	Superintendent of Printing.....	247
Code.....	Superintendent of Printing.....	1958, 3v.
Annotations to Code.. .	Superintendent of Printing.....	1957, v. 4
Code Ann.....	West Pub. Co.....	1949, 60v.; 1957 P. P.; Mar. 1958 Cum. Pam.
Session Laws.....odd years	Superintendent of Printing.....	1957
Atty. Gen. Rpts. & Op. biennial	Superintendent of Printing.....	31 (1956)
Department Rules . even years	Superintendent of Printing.....	1958

## KANSAS

*Reports.....	State Library.....	180
General Statutes Ann. ....	Secretary of State.....	1949; 1957 Supp.
Session Laws.....annual	Secretary of State.....	1958
Atty. Gen. Rpts. ....biennial	Attorney General.....	41 (1955-56)
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## LOUISIANA

Reports.....	West Pub. Co.....	233
Revised Statutes.....	Secretary of State.....	1950, 7v.; 1956 P. P.

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PUBLICATION	SOURCE	LATEST VOL. TO APPEAR
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Atty. Gen. Rpts. & Op. . . . .		
biennial	Attorney General.....	1956-58
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Criminal Statistical Rpt. . . . .		
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Session Laws.....odd years	State Library.....	1957
Atty. Gen. Rpts. & Op. . . . .	Attorney General.....	1955-56

## MARYLAND

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Code Ann.....	Michie Co.....	1957, 10v.
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Atty. Gen. Rpts. & Op. . . . .	Attorney General.....	40 (1955)

## MASSACHUSETTS

*Reports.....	Wright & Potter Ptg. Co., Boston..	334
Massachusetts Decisions . . . . .	Boston Law Book Co.-Little, Brown & Co.....	141-144 NE (2d) 10
App. Decisions.....	Wilson-Hill Co., Boston.....	10
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Atty. Gen. Rpts. & Op. . . . .		
biennial	Secretary of Commonwealth.....	1955-56
Judicial Council Rpts . . . . .	Secretary of Commonwealth.....	1957

## MICHIGAN

*Reports.....	Lawyers Co-op. Pub. Co.....	349
Compiled Laws.....	Secretary of State.....	1948, v. 1-5; Ann., v. 6
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Administrative Code.. . . .	Secretary of State.....	1954; 1955-56 Ann. Supp.; Supp. no. 10- 14

## MINNESOTA

Reports.....	Review Pub. Co., St. Paul.....	249
Statutes.....	State Printer.....	1957, 2v.
Statutes Ann.....	West Pub. Co.....	1946, 45v.; 1957 P. P.
Session Laws.....odd years	State Printer.....	1957
Atty. Gen. Rpts. & Op. biennial	Attorney General.....	1956

## MISSISSIPPI

Reports.....	Mississippi Reporter Co., Little Rock, Ark.....	227
Code Ann.....	Harrison Co.-Lawyers Co-op. Pub. Co.....	1942, 15v.; 1956 P. P.
Session Laws.....even years	Secretary of State.....	1956
Atty. Gen. Rpts. & Op. biennial	Secretary of State.....	1955-57

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Session Laws.....odd years	Secretary of State.....	1957; 1957 Ext., 1v.
Atty. Gen. Rpts. & Digest of Op.....	Attorney General.....	15, no. 10 (June 6, 1958)

## MONTANA

Reports.....	State Pub. Co., Helena.....	130
Revised Codes Ann. . . . .	Allen Smith Co.....	1947, 9v.; 1957 P. P.
Session Laws.....odd years	State Pub. Co.....	1957
Atty. Gen. Rpts. & Op. biennial	State Law Library.....	25 (1953-54)

## NEBRASKA

Reports.....	State Library.....	165
Revised Statutes.....	State Library.....	1943, 9v.; 1957 Supp., 1v.
Session Laws.....odd years	State Library.....	1957
Atty. Gen. Rpts. & Op. biennial	Attorney General.....	1955-56

## NEVADA

PUBLICATION	SOURCE	LATEST VOL. TO APPEAR
Reports.....	Secretary of State.....	72
Revised Statutes.....	Secretary of State.....	1957, 5v. (loose leaf)
*Session Laws.....odd years	Secretary of State.....	1956-57
Atty. Gen. Rpts. & Op. biennial	Attorney General.....	1954-56

## NEW HAMPSHIRE

*Reports.....	Secretary of State.....	100
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Session Laws..... odd years	Secretary of State.....	1957
Atty. Gen. Rpts. & Op. ....	Attorney General.....	1950-52
Judicial Council Rpts. ....	Judicial Council.....	6 (1956)

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*Superior Court Reports.....	Soney & Sage Co.....	48
Revised Statutes.....	Gann Law Book Co., Newark.....	1937, 5v.; 1951 Rev. Titles 2A, 3A, 1v.; 1938-57 Cum. Supp. 11v.
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Session Laws.....annual	MacCrellish & Quigley, Trenton....	1957
Attv. Gen. Op.....	Dept. of Law and Public Safety....	1954-55

## NEW MEXICO

Reports.....	Clerk, Supreme Court.....	63
Statutes Ann.....	Allen Smith Co.....	1953, 12v.; 1957 P.P.
Session Laws.....odd years	Secretary of State.....	1957
Atty. Gen. Rpts. & Op. biennial	Attorney General.....	1955-56

## NEW YORK

*Reports.....	Williams Press, Albany.....	3 (2d)
*App. Div. Reports.....	Williams Press.....	4 (2d)
*Miscellaneous Reports.....	Williams Press.....	8 (2d)
*N. Y. Supplement.....	West Pub. Co.....	170 (2d)
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*Reports . . . . .	Secretary of State . . . . .	245
General Statutes . . . . .	Michie Co. . . . .	1943, 11v.; 1957 P. P.
Session Laws . . . . . odd years	Secretary of State . . . . .	1957
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Judicial Council Rpts. . . . .	Judicial Council . . . . .	5 (1956)

## NORTH DAKOTA

Reports . . . . .	Law Librarian, Supreme Court . . . .	79
Revised Code . . . . .	Secretary of State . . . . .	1943, 7v.; 1957 Supp.
Session Laws . . . . . odd years	Secretary of State . . . . .	1957
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## OHIO

*Reports . . . . .	Law Abstract Co., Norwalk; Advance parts, Ohio State Bar Assn., Columbus . . . . .	166
*App. Reports . . . . .	Same . . . . .	103
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*Ohio Law Abstract . . . . .	Law Abstract Co.; Advance parts, Ohio State Bar Assn. . . . .	76
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Revised Code Ann. . . . .	Banks-Baldwin . . . . .	1953, 1v.; 1957 Cum. Supp.
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## OREGON

Reports.....	Secretary of State.....	211
Revised Statutes.....	Legislative Council Committee.....	1953, 6v.; Ann., 2v. (loose leaf); 1957 repl. parts
Session Laws.....odd years	Secretary of State.....	1957
Atty. Gen. Rpts. & Op. biennial	Secretary of State.....	27 (1954-56)
Judicial Council Rpts. ....	Judicial Council.....	2 (1957)

## PENNSYLVANIA

*Reports.....	Murrelle Printing Co., Sayre.....	390
*Superior Court Reports ..	Murrelle Printing Co.....	183
*District and County Reports ..	Legal Intelligencer, Philadelphia....	9 (2d)
Purdon's Statutes Ann. ....	West Pub. Co., Geo. T. Bisel Co., Soney & Sage Co.....	1938, 56v.; 1957 P. P.; June 1958 Pam. Supp.
Session Laws.....odd years	Bureau of Publication.....	1957
Attv. Gen. Op.....biennial	Attorney General.....	1955-56

## PUERTO RICO

*Reports.....	Exec. Asst. to Governor, La Fortaleza, San Juan.....	78
Laws Ann.....	Equity Pub. Corp., Stony Brook, L. I., N. Y.....	1954, 11v. in 12. (Both Spanish and English eds.); 1957 P. P.
Session Laws.....annual	Exec. Asst. to Governor.....	1957
Attv. Gen. Rpts.....annual	Exec. Asst. to Governor.....	1952-53

## RHODE ISLAND

Reports.....	Secretary of State.....	83
General Laws.....	Bobbs-Merrill Co.....	1956, 8v.; 1957 P. P.
Acts and Resolves.....annual	Secretary of State.....	1957
Public Laws.....annual	Secretary of State.....	1957
Judicial Council Rpts. ....	Judicial Council.....	18 (1957)

## SOUTH CAROLINA

*Reports.....	R. L. Bryan Co., Columbia.....	230
Code of Laws Ann.....	Michie Co.-Lawyers Co-op. Pub. Co.; Pocket parts, R. L. Bryan Co.....	1952, 8v.; 1957 P. P.
Session Laws.....annual	Secretary of State.....	1957
Atty. Gen. Rpts. & Op. ....annual	Attorney General.....	1956-57

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PUBLICATION	SOURCE	LATEST VOL. TO APPEAR
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Code.....	State Library.....	1939, 3v.; 1952 Supp., Ann., v. 4
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## TENNESSEE

Reports.....	Stephens Pub. Co., Columbia, Mo..	199
Court of Appeals Reports..	Stephens Pub. Co.....	39
Code Ann.....	Bobbs-Merrill Co.....	1956, 13v.; 1957 P. P.
Session Laws..... odd years	Secretary of State.....	1957 Public Acts

## TEXAS

Reports.....	Secretary of State.....	155
Criminal Reports....	Secretary of State.....	162
Vernon's Statutes....	Vernon Law Book Co.....	1948, 2v.; 1950-58 Supp., 5v.
Vernon's Statutes Ann. . . .	Vernon Law Book Co.....	1925, 43v.; 1957 P. P.; May 1958 Cum. Pam.
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Atty. Gen. Digest of Op. monthly	Attorney General	1957
Judicial Council Rpts. . . .	State Library.....	29 (1957)

## UNITED STATES

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*Reports (L. Ed.).....	Lawyers Co-op. Pub. Co.....	1 (2d)
*Supreme Court Reporter.....	West Pub. Co.....	77
*Federal Reporter.....	West Pub. Co.....	251 (2d)
*Federal Supplement.....	West Pub. Co.....	157
*Court of Claims Reports.....	Government Printing Office.....	137
Customs Court Reports.....	Government Printing Office.....	38
Customs and Patent Appeals		
Court Reports: Customs.....	Government Printing Office.....	44
Same: Patents.....	Government Printing Office.....	44
*Military Appeals Court		
Reports.....	Lawyers Co-op. Pub. Co.....	8
*Tax Court Reports.....	Government Printing Office.....	27
Statutes at Large.....	Government Printing Office.....	71, pt. 1
Code.....	Government Printing Office.....	1952, 6v.; Supp. no. 5, 3v.
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Court-Martial Rpts. . . . .	Lawyers Co-op. Pub. Co. . . . .	25
Employees' Compensation Appeals Board Rpts. . . . .	Government Printing Office. . . . .	6
Federal Communications Commission Rpts. . . . .	Government Printing Office. . . . .	14
**Federal Power Commission Rpts. . . . .	Government Printing Office. . . . .	16
Federal Trade Commission Decisions. . . . .	Government Printing Office. . . . .	51
Interior Decisions. . . . .	Government Printing Office. . . . .	63
Administrative Decisions under Immigration and Nationality Laws. . . . .	Government Printing Office. . . . .	6
***Interstate Commerce Commission Rpts. . . . .	Government Printing Office. . . . .	297
I. C. C. Motor Carrier Decisions. . . . .	Government Printing Office. . . . .	66
I. C. C. Valuation Rpts. . . . .	Government Printing Office. . . . .	54
*Maritime Commission Rpts. . .	Government Printing Office. . . . .	3 (In preparation)
National Labor Relations Board Decisions & Orders. . . .	Government Printing Office. . . . .	118
Court Decisions on N. L. R. B.	National Labor Relations Board. . . .	9
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Post Office Solicitor Decisions. . . . .	Government Printing Office. . . . .	9
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VOL. YEAR	PUBLICATION	SOURCE	LATEST VOL. TO APPEAR
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	*Treasury Decisions. . . . .	Government Printing Office . . . . .	91
	Treaties and Other Inter- national Agreements . . . . .	Government Printing Office . . . . .	9, pt. 1
UTAH			
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VERMONT			
1957 58 (1957)	*Reports . . . . .	State Library . . . . .	120
	Statutes . . . . .	State Library . . . . .	1947, 1v.
	Session Laws . . . . .	State Library . . . . .	1957
	Atty. Gen. Rpts. & Op. biennial	State Library . . . . .	1955-56
	Judicial Council Rpts. biennial	State Library . . . . .	6 (1957)
VIRGINIA			
	Reports . . . . .	Div. of Purchases & Printing . . . . .	198
	Code Ann. . . . .	Michie Co. . . . .	1950, 10v.; 1956 P. P.; Pam. Supp., 1956
	Session Laws . . . . . even years	Div. of Purchases & Printing . . . . .	1956; 1956 Ext.
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	Judicial Council Rpts. . . . .	Div. of Purchases & Printing . . . . .	1956-57
WASHINGTON			
	*Reports . . . . .	Bancroft-Whitney Co. . . . .	50 (2d)
	Washington Decisions (Advance parts for Washington Reports)	Bancroft-Whitney Co. . . . .	152
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PUBLICATION	SOURCE	LATEST VOL. TO APPEAR
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Code Ann.....	Michie Co.....	1955, 3v.; 1958 Supp.
Session Laws.....odd years	Dept. of Purchases.....	1957
Atty. Gen. Rpts. & Op. biennial	Attorney General.....	46 (1954-56)

## WISCONSIN

*†Reports.....	Callaghan & Co.....	275
Statutes.....	Bureau of Purchases.....	1955, 2v.
Mason's Wisconsin Ann.....	Mason Pub. Co., St. Paul, Minn....	Current, 1v. (loose leaf)
West's Wisconsin Statutes Ann.....	West Pub. Co.....	1957, 43v. to date; Legislative Service, 1957, no. 1-8
Session Laws.....odd years	Bureau of Purchases.....	1957, 2v.
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Judicial Council Rpts. biennial	Judicial Council.....	1957
Administrative Code.....	Revisor of Statutes.....	Current, 5v. (loose leaf)

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Reports.....	Prairie Pub. Co., Casper.....	75
Compiled Statutes.....	Bobbs-Merrill Co.; pocket parts, Mills Co., Sheridan.....	1945, 5v.; 1957 P. P.
Session Laws.....odd years	Secretary of State.....	1957
Atty. Gen. Op.....	Secretary of State.....	1953-56

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## CHECKLIST OF NATIONAL REPORTER SYSTEM

Revised to June 10, 1958

	LATEST VOL. TO APPEAR		LATEST VOL. TO APPEAR
Atlantic Reporter, Second Series.....	138	North Western Reporter, Second Series.....	87
Advance sheets.....	141	Advance Sheets.....	89
Federal Reporter, Second Series.....	251	Pacific Reporter, Second Series.....	321
Advance Sheets.....	253	Advance Sheets.....	325
Federal Rules Decisions.....	20	South Eastern Reporter, Second Series.....	101
Advance Sheets.....	21	Advance Sheets.....	103
Federal Supplement.....	157	Southern Reporter, Second Series.....	100
Advance Sheets.....	160	Advance Sheets.....	102
New York Supplement, Second Series..	170	South Western Reporter, Second Series.....	309
Advance Sheets.....	173	Advance Sheets.....	312
North Eastern Reporter, Second Series.	147	Supreme Court Reporter.....	77
Advance Sheets.....	150	Advance Sheets.....	78

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# CHECKLIST OF CURRENT CANADIAN DOMINION AND PROVINCIAL PUBLICATIONS

Revised to June 10, 1958

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PUBLICATION	SOURCE	LATEST VOL. TO APPEAR
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*Canada Law Reports, Exchequer Court.....	Queen's Printer.....	1957
*Dominion Law Reports....	Canada Law Book Co., Toronto....	11 (2d)
*Canada Tax Cases Ann....	R. De Boo, Toronto.....	1957
*Canadian Bankruptcy Reports	Burroughs & Co., Toronto.....	36
*Canadian Criminal Cases..	Canada Law Book Co.....	119
*Canadian Insurance Law Reports.....	Commerce Clearing House, Toronto	1951-55
*Canadian Patent Reporter..	Canada Law Book Co.....	28
*Canadian Railway and Transport Cases.....	Canada Law Book Co.....	75
Court Martial Appeal Reports.....	Queen's Printer.....	1
*Criminal Reports.....	Carswell Co., Toronto.....	26
*Dominion Tax Cases.....	Commerce Clearing House.....	11
*Fox's Patent, Trade Mark, Design & Copyright Cases...	Carswell Co.....	16
*Labour Arbitration Cases...	Cartwright & Sons, Toronto.....	8
†*Maritime Provinces Reports..	Carswell Co.....	39
*Tax Appeal Board Cases.....	R. De Boo.....	18
†*Western Weekly Reports....	Burroughs & Co., Calgary.....	24
*Board of Transport Judg- ments, Orders, Regs. & Rulings.....	Board of Transport Commissioners, Ottawa.....	47
Revised Statutes.....	Queen's Printer.....	1952, 6v.
Session Laws.....annual	Queen's Printer.....	1957

## ALBERTA

Revised Statutes.....	Queen's Printer, Edmonton.....	1955, 5v.
Session Laws.....annual	Queen's Printer.....	1957

## BRITISH COLUMBIA

Revised Statutes.....	Queen's Printer, Victoria.....	1948, 4v.
Session Laws.....annual	Queen's Printer.....	1957

## MANITOBA

*Reports.....	Law Society of Manitoba, Winnipeg	64
Revised Statutes.....	Queen's Printer, Winnipeg.....	1954, 4v.
Session Laws.....annual	Queen's Printer.....	1957

\* Advance parts available

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Revised Statutes . . . . .	Queen's Printer, Toronto . . . . .	1950, 5v.
Session Laws . . . . . annual	Queen's Printer . . . . .	1957

## PRINCE EDWARD ISLAND

Revised Statutes . . . . .	Queen's Printer, Charlottetown . . . . .	1951, 3v.
Session Laws . . . . . annual	Queen's Printer . . . . .	1957

## QUEBEC

*Official Reports, Queen's Bench . . . . .	E. Doucet, Montreal . . . . .	1957
*Official Reports, Superior Court . . . . .	E. Doucet . . . . .	1957
*Practice Reports . . . . .	Wilson et Lafleur, Montreal . . . . .	1957
*La Revue Légale . . . . .	Wilson et Lafleur . . . . .	1957
Revised Statutes . . . . .	Queen's Printer, Quebec . . . . .	1941, 5v.
Session Laws . . . . . annual	Queen's Printer . . . . .	1956-57

## SASKATCHEWAN

Revised Statutes . . . . .	Queen's Printer, Regina . . . . .	1953, 4v.
Session Laws . . . . . annual	Queen's Printer . . . . .	1958

## YUKON

Consolidated Ordinances . . . . .	Territorial Secretary, Whitehorse . . . . .	1914
Ordinances . . . . . annual	Queen's Printer, Whitehorse . . . . .	1957

\* Advance parts available

# AMERICAN ASSOCIATION OF LAW LIBRARIES ANNUAL REPORTS OF OFFICERS, COMMITTEES, AND REPRESENTATIVES FOR 1957-1958

	Page
Reports of Officers	
Report of the President .....	289
Report of the Secretary .....	291
Report of the Treasurer .....	292
Reports of Committees	
Application of Mechanical and Scientific Devices to Legal Literature .....	294
Cataloging and Classification .....	295
Chapters .....	295
Exchange of Duplicates .....	296
Federal Agency Activities .....	297
Foreign Law .....	297
Index to Legal Periodicals .....	298
Indexing of Foreign Legal Materials .....	298
Law Library Journal .....	298
List of Law Libraries .....	298
Memorials .....	298
Microfacsimilies .....	299
New Members .....	299
Placement .....	299
Publications .....	300
Publicity .....	300
Scholarships .....	300
Joint Committee on Cooperation Between the Association of American Law Schools and the American Association of Law Libraries .....	301
Reports of Representatives	
ALA Council .....	301
Joint Committee on Government Publications .....	302
Joint Committee on the Union List of Serials .....	302
Reporter on the Descriptive Rules for Law Cataloging .....	302
CNLA Joint Committee on Education for Librarianship .....	303
United States Book Exchange .....	303
American Standards Association Committee PH5—Microreproduction .....	304
American Standards Association Committee Z39—Library Work and Documentation .....	304
American Standards Association Z39 Sub-committee on Indexing .....	304
CNLA Joint Committee on the Indexing of State Laws .....	305
AALL Press Representative .....	305

## REPORT OF THE PRESIDENT

The report of the President is in reality a report of the work done by the Executive Board during the past year. Few decisions and no individual accomplishments can be claimed as those of your President. All problems were submitted to the members of the Board who gave astute advice and sugges-

tions. They are an able, thoughtful group interested in the continued advancement of the Association and of its individual members.

While the Executive Board worked on usual duties, Margaret Coonan as Program Advisor, and Elizabeth Finley, Chairman of the Committee on Arrangements, spent many weeks planning our annual meeting. Their

work was concerned with innumerable large problems and small details. They have our gratitude for an outstanding and successful meeting. I wish also to thank my staff at the University of Texas Law Library. It has been necessary to shift to them responsibility and work that is normally mine. They have cared for all problems with willingness and skill. My gratitude goes especially to Miss Rumbo who has given me valuable suggestions about Association affairs and to Mrs. Monk who has done the extra secretarial work required by my many letters and reports.

At the last meeting of the Executive Board in Colorado Springs it was voted not to hold a mid-year meeting. When the Ford Foundation granted \$12,000 for a study of the practicability of an index to foreign legal periodicals, we realized there was a duty imposed on us to launch the study to the best of our combined abilities. The Board, except for Miss Fenneberg, met in San Francisco on December 29th to discuss the grant. Arrangements were made for Bill Stern to act as Director of the project and Kurt Schwerin, Chairman of the Foreign Law Committee, to act as Coordinator, American Association of Law Libraries. You will have reports from Mr. Stern and Mr. Schwerin on this exceedingly important undertaking which may be a pattern for the operation of other grants.

Last year the Board suggested that it would be advisable to have the President meet with one or two Chapters. In August I went to Atlanta for a meeting with the Southeastern Chapter. It was with this group that I came to appreciate the vast benefit the Chapters are to their members and to the parent organization. On the way to the Board meeting in San Francisco it was possible for me to join the Southern California Chapter. I was present this spring when the librarians in the Southwest were invited to Southern Methodist University to organize the Southwestern Chapter which has asked for approval and acceptance by the Association. These visits were a delightful facet of this office.

Last summer Miss Benyon reported to the Board the request from Dean Shera of Western Reserve University that this Association deposit at the Library School a collection of law classification schemes and subject heading lists and that it make a contribution to cover the expense of loaning them. The Board requested Miss Benyon to ascertain whether or not Columbia University and the University of Washington

would like to have similar materials on like terms. As soon as the collections are completed and deposited at the three schools, they will be loaned on request.

The Executive Board has been concerned with a few *Law Library Journal* problems. During most of the years since it started the *Journal* has not been covered by copyright. At its December meeting the Board advised the Editor to request of each contributor a gift assignment of his article or other writing. If an assignment is made, the Editor will secure a copyright. If the author does not make an assignment, he has the right to secure it. Another action of the Board was its approval of the preparation and printing of a fifty-year index. This is a milestone that marks the *Journal's* age and progress.

During the year the Board received the resignation of our very able Editor, Mr. Dudley Stephenson and the Assistant Editor, Mr. Carleton Kenyon.

Our relations with the American Bar Association have been exceptionally pleasant. It is our good fortune that Jack Leary is interested in a progressively closer relationship between the two groups. There is a particular area in which the American Bar Association could, to its advantage, place reliance on the learning and ability of our members who are experts in the planning and development of law libraries. Efforts should be made to direct the attention of the Council of the Section of Legal Education and Admissions to the Bar to these rich resources.

Early this year the President of the United States proclaimed May 1 as Law Day, U.S.A. It would be well to have our Association take official recognition of the day. Each one of us is in a position to bring to our particular clientele exhibits which will illustrate the beneficial influence of law. A committee might be appointed to study and suggest to the membership particular documents and books to be used to illustrate this theme.

The honor you gave me last year has brought much happiness. Work with Association problems has illuminated the benefits it provides, not only for its members but for the entire legal profession. Through trips to the Chapters it has been possible to meet members I had not known and to renew my friendships with others. The work with the members of the Board and others has deepened my admiration of their outstanding abilities. It has been a gratifying year and I thank you.

Helen Hargrave

## REPORT OF THE SECRETARY

Unfortunately your Secretary has not performed with maximum efficiency this year because of unfamiliarity with the office and all its details. The first year is bound to be a difficult one that includes many letters of inquiries to former Secretaries and to members of the Executive Board for information, directions, opinions, etc. To overcome this as much as possible a Secretary's manual is being prepared that will contain the answers to all the questions that have plagued this office during the current year and will provide an outline of the duties and responsibilities of the Secretary. Although in its infancy stages, it does exist and will be expanded from time to time.

Last fall new application for membership forms were ordered and it is hoped that they will be less confusing to new members, as the types of membership are more clearly defined. The term "active" for individual membership is misleading in that many seem to think that members designated under an institutional membership are not active. For this reason the Board is proposing that certain changes be made in the Association By-Laws. Notice of such recommended changes have been forwarded with President's Newsletter No. 4.

This past winter the Executive Board approved the purchase of a Stenorette dictating machine which is a valuable aid to the Secretary and will also be available to record proceedings of the Board, so that more accurate and detailed minutes may be prepared. Its purchase has resulted in a saving in the secretarial expense allowance so that it has practically paid for itself.

The Committee on New Members prepared a new brochure for prospective members which it was hoped would be published this year. The Executive Board, however, felt that the old format was unattractive and that the new one should have more "eye appeal." No final decision has yet been made but it is hoped that in the near future a thoroughly attractive brochure will be available for the use of the Committee on New Members.

At its last meeting in Colorado Springs the Board requested the Secretary to see what could be done about indexing the minutes of Board meetings. The first draft has been completed and it is hoped that the finishing touches can be added in the near future.

An attempt has been made to write a personal letter of welcome to all new members,

both those with individual membership and those designated by an institution. Unfortunately, however, law librarians too rarely remember that staff changes should be reported to either the Treasurer or the Secretary. As a result some members under an institutional membership may not have received such a welcome, which we sincerely regret.

Before the ballots were sent out the membership lists of the Secretary and Treasurer were compared and discrepancies corrected. A check was then made against the addressed envelopes sent by the printer and it was discovered that in a number of instances there were two addressograph plates for the same name, which meant that two copies of the *Journal* were being sent to such member instead of one. The printer has been notified of all errors and it is hoped that the files of the Secretary, Treasurer and printer are now in accord.

As of May 1, 1958 there were 63 undesignated memberships in the Association. In other words, although institutional dues have been paid for such a number no one has been designated for active status. The minimum institutional dues entitle a library to name two persons for active status but in many instances only the librarian is named. Anyone officially connected with the law library could be so designated—the dean of a law school, a trustee on the library board, a staff member who is not professionally trained—to cite a few examples. Naming them would tend to stimulate their interest in law libraries and would bring the Association 63 new members.

The office of Secretary in this Association entails a great deal of work and deprives one of many leisure hours but it brings its own reward. Closer contact with the membership at large and with the splendid men and women who have done so much for the Association, as well as for the whole field of law librarianship, gives one a deeper pride in and appreciation for the profession we all serve, and compensates for any drudgery the office may entail.

It has been a pleasure to work with the Executive Board members and my gratitude for their constant cooperation is very sincere. A special tribute of appreciation must be given to our kind and able president, Helen Hargrave, who not only performed the duties of her own office with extreme efficiency, but was so concerned about the welfare of the Secretary that she many times assumed responsibility for chores that should

have been performed by the Secretary. No secretary ever served with a more thoughtful and considerate president and working with her has been the greatest joy of the entire year.

Respectfully submitted,  
Doris R. Fenneberg

## REPORT OF THE TREASURER

The previous Treasurer, Huberta Prince, warned me that there was a lot of work involved in being Treasurer, and often this past year I have had reason to recall her words. Keeping the financial records of the Association is quite an experience for a member who has not previously been active in the Association's work.

The cash balance at the end of the fiscal year, May 31, 1958, was \$18,123.67, as compared with \$21,590.25 a year earlier. An increase in expenses was responsible for the poor showing. Receipts compared favorably with the receipts of last year. One cheering item was the receipt of \$636.73 from the Institute which was held at Boulder. The statement shows the amount as \$736.73, but this includes \$100.00 which the Association advanced for the Institute in our last fiscal year.

The expenses of the Association rose from \$14,171.72 last year to \$24,676.04 in the year ended May 31. There were several factors involved in the rise. The largest item of expense was for the 1957 and 1958 conventions. The cost of the earlier convention was \$9,668.68. Forty-one hundred dollars have been advanced to the Treasurer of the Washington Chapter for the expenses of the 1958 convention. Salaries of the Secretary and Treasurer, as well as the Editor, Assistant Editor and Advertising Manager of the *Journal*, were increased. Another contributing factor was a Board meeting held in December to assure the most satisfactory arrangement for carrying out the terms of the Ford Foundation Grant.

The Index Account showed a loss again this year. Actually, receipts from the sale of the *Index to Legal Periodicals* were larger than last year, but necessary salary increases for the indexers more than eliminated the gain.

In closing my report I want to say that I appreciate the cooperation everyone has given me while I have been learning what is required of the Treasurer.

Respectfully submitted,  
Betty Hancock

## REPORT OF THE TREASURER For Fiscal Year Ending May 31, 1958

### GENERAL ACCOUNT

Cash Balance per prior Report, May 31, 1957			\$21,590.25
Add adjustments for:			
Uncashed check No. 45	\$	6.00	
Cancelled check No. 136		25.00	31.00
			<hr/>
Corrected Balance May 31, 1957			\$21,621.25
Add Receipts			
Dues—Institutional	\$3,896.00		
Active	1,960.50		
Associate	1,002.00	\$ 6,858.50	
		<hr/>	
Journal			
Advertising	\$3,967.10		
Subscriptions	1,146.00		
Back issues (in print)	370.50	5,483.60	
		<hr/>	
Directories		32.00	
Interest		225.00	
Reprints		84.23	
Conventions		7,147.00	
Scholarships		400.00	
Institute		736.73	
Miscellaneous		211.40	21,178.46
			<hr/>
Total to be accounted for			\$42,799.71

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\*\*\$5.0



LESS DISBURSEMENTS

Journal (5 issues)		
Printing & Mailing	\$9,578.41	
Editor's Salary	579.29	
Secy. Asst. to Editor	14.50	
Asst. Editor's Salary	174.71	
Secy. Asst. to Asst. Editor	35.00	
Advertising Manager's Salary	327.50	
Clerical Asst. to Adv. Manager	112.00	
Tel and Tel	103.73	
Postage	85.39	
Back issue postage	25.00	
Supplies	16.55	\$11,052.08
Salaries		
Allowance to President	\$ 573.55	
Secretary	595.87	
Assistant to Secretary	109.46	
Treasurer	570.87	
Assistant to Treasurer	25.00	1,874.75
Transportation & Hotel		1,605.74
Tel and Tel		2.75
Postage		174.37
Supplies		292.89
Chapter and Dues Refunds		293.00
Subscription Refund		6.00
Committee Expenses		384.63
International Association of Legal Science meeting		
travel expense		233.70
Reprints		84.23
Scholarships		425.00
Conventions*		7,768.68
Fidelity Bond		62.50
Audit		170.00
Stenorette		245.72
		24,676.04

Cash Balance May 31, 1958\*\* \$18,123.67

INDEX ACCOUNT

Balance per prior Report, May 31, 1957	\$17,145.91
Receipts from H. W. Wilson Co.	8,743.47
	\$25,889.38
Less:	
Salaries of Indexers	9,266.58
Balance May 31, 1958	\$16,622.80

FORD FOUNDATION GRANT ACCOUNT

Initial Deposit, December 10, 1957	\$12,000.00
Less:	
Honoraria to Director and Coordinator of Project	\$3,750.00
Hotel and Transportation	1,051.39
Clerical and Other Expenses	500.00
	5,301.39
Balance May 31, 1958	\$ 6,698.61

\*Includes \$4,100.00 advanced for 1958 Convention.

\*\*\$5,000.00 of this balance is on deposit with Interstate Building Association.

## SIDNEY HILL SCHOLARSHIP ACCOUNT

Initial Deposit, December 10, 1957	\$ 1,000.00
Less:	
1958 Awards	200.00
Balance May 31, 1958	\$ 800.00

## MILES O. PRICE SCHOLARSHIP FUND

Balance May 31, 1957	\$ 1,373.72
Interest is	41.40
	\$ 1,415.12
Less:	
1958 Award	150.00
Balance May 31, 1958	\$ 1,265.12

## Changes in Membership 1957-58

	New	Resigned	Deceased	Non-payment	Total
Honorary					1
Life	6		1		24
Associate	5	4	4	1	52
Institutional	4				174
Active	34	13	2	11	243
Total persons who are members by reason of one of the above classes					734

## Changes in Subscribers 1957-58

17	3	11	199
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### COMMITTEE ON THE APPLICATION OF MECHANICAL AND SCIENTIFIC DEVICES TO LEGAL LITERATURE

While symbolic logic should not be called a scientific device in order to come within this Committee's jurisdiction, the members of the Committee have been interested in the articles published during this past Association year by Layman E. Allen, a Social Science Research Council Fellow at Yale Law School and member of the Connecticut Bar. Mr. Allen advocated the use of symbolic logic in order to attain clarity in drafting and interpreting legal documents. Mr. Allen's articles attempt to adapt the most elementary logical system (propositional calculus) into such a form that it can be used by lawyers who are untrained in modern logic. The system can be programmed for a conventional digital computer. The author called our attention to an unpublished paper by Richard Helgeson, a student at Yale Law School, *A Preliminary Design for Coding Statutes to Punched Cards* (1957).

Committee members Vincent Fiordalisi and John Harrison Boyles have reported on the marketing of the 3M (Minnesota Mining and Manufacturing Company's) Microfilm Reader-Printer which was introduced at the National Business Show in New York City in November. It is described in an article appearing in 48 *Special Libraries* at page 401 (Nov. 1957).

Meetings have been held and more are being planned. The Council on Documentation Research met in Cleveland February 3 and 4, 1958, and the School of Library Science and Center for Documentation Research of Western Reserve University presented to the Council its *Plan for the Creation of a National Center for the Coordination of Scientific and Technical Information* (1958) which it will present to the National Academy of Sciences.

Invitations have been sent to your Committee to attend the International Conference on Scientific Information which will be held in Washington, at the Mayflower Hotel, November 16-21, 1958. The Conference is sponsored by the National Academy of Sciences, the National Research Council, the National Sci-

ence Foundation and the American Documentation Institute.

Finally, experimentation in legal circles is continuing. The Board of Directors of the American Bar Foundation has established the Statutory Laws Survey as a Class A Project and President Charles S. Rhyne has been authorized to appoint a committee to supervise the preparation of plans for the project and its financing. This project originated within the National Conference of Commissioners on Uniform State Laws and originally contemplated the preparation of a digest of state statutory law comparable to the case law digest.

Respectfully submitted,

Albert P. Blaustein  
John Harrison Boyles  
Vincent E. Fiordalisi  
Helen Garee  
Richard Sloane  
John C. Leary, *Chairman*

# COMMITTEE ON CATALOGING AND CLASSIFICATION

The Committee this year has been concerned with four projects.

Members working on the subject heading list completed the checking and listing of headings in the fifth edition of the Library of Congress subject list and its supplements. Further checking for completeness is desirable. Definite plans for its publication will be discussed in June.

Work on classification this year centered on the questions of form and notation. After the study of two classifications in outline form, preference was indicated by the majority of members for a text consisting of main and subordinate headings with definite numbers affixed to each heading rather than a text consisting of tables with numbers affixed which would require the compilation of class numbers for each book. These comments together with various other aspects of classification are on the agenda for the June meeting.

Procedures were established and preparatory steps taken toward collecting and depositing copies of law classifications and subject heading lists in the libraries at the University of Washington, Western Reserve and Columbia Universities. Some solicitation and acquisition of material may be achieved during May and June.

As members of the Subcommittee for Legal Headings of the A.L.A. Committee on Cata-

log Code Revision, five of our members presented comments on a "Draft of Rules for Corporate Authors" prepared by Seymour Lubetzky which was released by the Committee in November. Because the rules as set forth in this draft differ considerably from those developed by the A.A.L.L. Committee in 1954, and in order to follow this work of revision, copies both of the draft and of a paper by Mr. Lubetzky, which presents the philosophy upon which the new rules are founded, were distributed to members of this Committee.

An amended report will be presented following the Committee meeting in Washington.

Respectfully submitted,

Pauline Carleton  
Werner Ellinger  
Virginia Engle  
Frances Holbrook  
Myron Jacobstein  
Carleton Kenyon  
Jon Ki  
Helen McLaury  
Winnifred Reid  
John Merryman, dissenting in  
the matter of the Classification project.  
Elizabeth V. Benyon, *Chairman*

# COMMITTEE ON CHAPTERS

The Committee on Chapters is composed of the secretaries of the eight chapters of the American Association of Law Libraries and functions as a means of communication between the chapter and between the national association and its chapters.

Highlights of Chapter activities for 1957-58 were:

Planning for the 1958 Annual Meeting was the major activity of the Law Librarians' Society of Washington, D. C. This year also saw the initiation of the chapter publication, *Law Library Lights*.

1957 marked the 10th anniversary of the Chicago Association of Law Libraries. In honor of this anniversary, a booklet giving the history and purposes of the chapter is to be published this spring.

The Association of Law Libraries of New York State has been active in the preparation of a bill for introduction in the State Legislature to install a fee system for the maintenance of Law Libraries.

A visit to the newly enlarged law school building of the University of Minnesota and

a description of the Four-County Law Library, Montevideo, Minnesota, by Leon Liddell were the programs of the Minnesota Chapter.

"Cooperation Among Libraries" was the theme for the meetings of the Law Library Association of Greater New York. The highlight was the second all-day Institute conducted by the chapter in May. This year's topic was Legal Research.

The Southeastern Chapter held its 1957 meeting in Atlanta, Georgia, on August 22-24. This three-day meeting included panel discussions on law library recruitment, successful public relations programs and the teaching of legal bibliography, and an address by Helen Hargrave, President of the American Association of Law Libraries.

The Law Librarians of New England held its annual meeting at Yarmouth, Maine, May, 1957, and in October held a meeting with the New England Library Association Conference at Swampscott, Massachusetts.

Respectfully submitted,  
 Ruth Cory  
 Alberta V. Heagle  
 Christy I. Hetherington  
 Muriel L. Merrell  
 Marguerite Pack  
 Jane F. Thompson  
 Florence F. Zagayko  
 William D. Murphy, *Chairman*

### COMMITTEE ON THE EXCHANGE OF DUPLICATES

Seven exchange lists will have been issued during the year covering the following subjects: List No. 16—State statutory compilations; No. 17—Federal statutes; No. 18—Constitutions and constitutional conventions; No. 19—Encyclopedias and digests; No. 20—Casebooks used in law schools (March); No. 21—State assembly and senate journals (April); No. 22—U. S. Congress proceedings (May).

The law school libraries contributing time and materials to issuing these lists were: University of Southern California, University of Notre Dame, Harvard University, Villanova University, University of Wisconsin, George Washington University, and University of California, Los Angeles.

Two new members joined the exchange program during the year bringing the participating membership to 107 law libraries.

#### Receipts:

Turned over to the Committee treasury as of July 1, 1957 .....	\$31.91
Receipt of membership dues reported in this report for 1957-1958 .....	2.00
Total receipts ....	\$33.91

#### Disbursements:

Reimbursement for postage to participating libraries .....	\$11.83
--	---------

Balance as of April 15, 1958 ..	\$22.08
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As pointed out in the Committee's report of last year, two alternatives remain regarding expenses of the program—either the issuing library shall bear the full expense, or there should be a nominal annual or biennial membership fee with the understanding that all expenses of mimeographing and mailing the lists will be paid from the program funds. No request was made by any library this past year for reimbursement for expenses of compiling or mimeographing a list.

Appreciation is expressed by the Committee to all who have contributed to the lists this year. Thanks should especially be extended to Mrs. Marie Wallace (L.A. Co. L.L.) for having engineered the first three lists this year and to Mrs. Dorothy Heizer (U.C.L.A.) for directing the last four lists. Both have done an excellent job and "cracked a mean whip" to get the work done as scheduled regardless of floods, blizzards, and bitter cold of the past winter. It is hoped that the exchange program has helped to place duplicate material where it is most needed and that the project has performed a useful service.

This completes the work of the Committee as outlined by the previous administration. If the work is to continue, and it is the consensus of this Committee that the work should continue, new subjects should be added, or the old lists brought up to date should be repeated. Some libraries that have received duplicates the past two years may want to find libraries that can use them. The Committee is open to suggestions regarding areas of coverage.

Respectfully submitted,  
 Verna E. Baertschy  
 Frederick D. Donnelly  
 Della Geyer  
 Jane L. Hammond  
 Marie K. Lawrence

Myrtle Moody  
Priscilla L. Rider  
Bertha M. Rothe  
William B. Scott  
Dorothy L. Heizer, *Assistant Chairman*  
Louis Piacenza, *Chairman*

## COMMITTEE ON FEDERAL AGENCY ACTIVITIES

The Committee on Federal Agency Activities continued consideration of programs which purport to improve the entire legal services of the Federal Government, with special attention to those affecting the status of law libraries and law librarians.

The Sub-Chairman on Legislation, Frank Dwyer, reviewed proposed legislation directly or indirectly involving Federal law library services. With a view to preserving what has been accomplished thus far, your Committee requested that the provisions of the American Bar Association proposal, insuring special studies of the adequacy of Federal agency law libraries and their control in the agency organization, be incorporated also in the Federal Bar Association draft bill.

The Sub-Committee on Civil Service Positions, chaired by Lillian McLaurin, working with the Government Task Force, finalized the Revised Standards for the Library Series and the Minimum Qualification Standards. The former were published as U. S. Civil Service Position Classification Transmittal Sheet No. 12, September 1957. The Civil Service Commission rejected your Committee's proposal of a separate option for law libraries to assure adequate description of work for classification purposes. It described such specialization in the reference area to include legal reference and research at a grade level which was reasonable in comparison with the reference performed in other Federal library situations.

The qualification Standards are ready for publication. Your Committee urged the Commission to give subject specialization the same recognition in these Standards as it had in the description of the Library Position Classification Standards. The Commission agreed to give subject specialization recognition in the GS-5 level in lieu of library science. It did not favorably receive our suggestion to substitute law study for library experience required in the higher grade positions. The Committee's continuing project will be to encourage amendment

of the Standards to include law study as an alternate qualification for higher positions.

Respectfully submitted,

Francis X. Dwyer  
William H. Crouch  
Marvin A. Hogan  
Lillian McLaurin  
Helen Newman  
H. Burlin Texier  
Madeleine W. Losee, *Chairman*

## FOREIGN LAW COMMITTEE

The present Foreign Law Committee is the successor to the Committees on Foreign Law and on Indexing of Foreign Legal Materials which were merged in December. Membership of the two Committees was identical and remained unchanged in the new Committee which has retained their purposes, duties and responsibilities.

In October, 1957 the Ford Foundation made a grant of \$12,000 to the Association for the purpose of investigating the nature and feasibility of an Index to foreign legal periodicals. Mr. William B. Stern was instrumental in securing this grant. From the beginning, the Committee has cooperated in the planning of the Project. On December 29, the Chairman of the Committee attended the meeting of the Executive Board in San Francisco and presented a memorandum on the Indexing Project which supplemented earlier memoranda of Mr. Stern. At this meeting Mr. Stern was appointed Director of the Project and the Chairman of the Committee was appointed Coordinator. Mr. Vernon M. Smith, a member of the Executive Board, was assigned to act as liaison between the Indexing Project and the Executive Board.

The Director is responsible for the initiating and completing of the Project with the assistance of the Foreign Law Committee. Subsequent to the San Francisco meeting, the Chairman appointed a Sub-Committee consisting of the Committee members, Bayitch, Ellinger, Pimsleur, Roberts and Wallach, which is working on special aspects of the Indexing Project. A meeting of the Sub-Committee will be held on April 19 in Chicago and a further meeting is planned during the annual meeting in Washington. All details on the work of the Indexing Project will be reported after completion of its work. The deadline is September 1, 1958.

The Committee also supplied materials for

the "Questions and Answers" section of the *Law Library Journal* and secured reviews on foreign books for the *Journal*. It also kept itself informed on other problems of foreign law of interest to law librarians.

Respectfully submitted,

Stojan Bayitch  
K. Howard Drake  
Werner B. Ellinger  
Leonard Oppenheim  
Meira G. Pimsleur  
Philip Putnam  
Lilly M. Roberts  
William B. Stern  
Kate Wallach  
Kurt Schwerin, *Chairman*

### COMMITTEE ON INDEX TO LEGAL PERIODICALS

The full report of the Committee on Index to Legal Periodicals will be published in the Proceedings issue of the *Journal*.

### COMMITTEE ON INDEXING OF FOREIGN LEGAL MATERIALS

For the Report of the Committee, see the Report of the Foreign Law Committee with which the Committee on Indexing of Foreign Legal Materials was merged in December. The membership of the two Committees has been identical.

Respectfully submitted,

Kurt Schwerin, *Chairman*

### COMMITTEE ON LAW LIBRARY JOURNAL

The full report of the Committee on Law Library Journal will be published in the Proceedings issue of the *Journal*.

### COMMITTEE ON LIST OF LAW LIBRARIES

The present committee was appointed for a two-year term for the purpose of compiling a biennial directory of law libraries in the United States and Canada.

All libraries holding membership in the American Association of Law Libraries or employing staff members affiliated with the Association were listed. In addition, libraries servicing the legal profession, whose collec-

tions contained at least 5,000 volumes, were included.

To secure accurate and up-to-date information for this 1958 edition of *Law Libraries in the U. S. and Canada*, some 900 postal cards were mailed. Of these 500 were returned, supplying material for over a thousand needed changes in the 1956 edition. In the new directory changes in format, as well as listings, have been instituted. As space-saving devices, listings of chapters and their officers have been omitted, and the Foreword, the roster of officers and the membership of the Executive Board have been printed on a single page.

In the past, only libraries which currently qualified for the Directory were contacted for listing. This did not meet the problem of identifying those libraries which subsequently might meet the necessary size of collection requirement.

Therefore, it is recommended that an exhaustive attempt be made, prior to publication of the 1960 directory, to contact all libraries which might be eligible for future listings, notably county libraries. A precedent has already been set, in the 1958 edition, by a listing of all such law libraries in Ohio.

A copy of the 1958 directory will be mailed to each member of the Association, in June 1958, prior to the Annual Meeting date.

Respectfully submitted,

Viola M. Allen  
Jessie S. Arkebauer  
Lois I. Baker  
Robert W. Cryder  
Theresa C. Dutch  
Reginald J. Furness  
Barbara B. Mansell  
Helen A. Snook  
Iris J. Wildman, *Chairman*

### COMMITTEE ON MEMORIALS

Since the 1957 Meeting, the deaths of seven of our friends have been reported to the Committee on Memorials. Without regard to chronological order, they are:

Mulford Winsor, formerly Director of the Department of Library and Archives, Phoenix, Arizona.

Imri McCloud, of the Statute Law Book Company, Washington, D. C.

Lydia L. Kirschner, former Librarian of the Worcester County Law Library, Worcester, Mass.

Mrs. Grace Laws, reported as a former li



brarian of a District Court Judges' Library. Sumner York Wheeler, a long-time Librarian of the Essex County Law Library, Salem, Mass., and twice President of our Association.

Helen Ross Britton, formerly Librarian of the Field Building Law Library, Chicago.

Robert M. Brown, General Manager of the Carswell Company, Toronto, Canada, for many years a staunch friend of the Association.

Memorials for the latter three mentioned were duly prepared and will have appeared in the November, February and May issues of the *Law Library Journal*.

Respectfully submitted,

Margaret S. Andrews

Corinne Bass

Frances Sawyer Henke

Cyril L. McDermott

Eda A. Zwinggi

Harrison MacDonald, *Chairman*

### COMMITTEE ON MICROFACSIMILIES

The report of this Committee was presented as a part of the program of the annual meeting and will be published in the Proceedings issue of the *Journal*.

### COMMITTEE ON NEW MEMBERS

The objective of the Committee on New Members is to interest those persons engaged in law library work in associating with this Association.

The work of soliciting new members is a most difficult one and one of which there are very few techniques that have not been used by preceding committees. The general technique of the past has been to send brochures to the non-members listed in the Directory. However, the individual members of this Committee wrote personally to those members who for some reason or another dropped their membership in the Association. We are happy to report that some of these letters were successful in getting them to renew their membership.

In addition, individuals who had evinced some interest in the work of the Association, such as those who attended the various Institutes sponsored by the Association, received personal letters from members of this Com-

mittee, calling their attention to the advantages of membership.

The results from this technique were encouraging and, for this reason, this Committee recommends to the new committee that personal letters be written to those non-members living in or around New York City calling their attention to the meeting of the Association in New York in 1959, especially to the parts of the program which will be of benefit to them.

The Committee thought that since the brochure customarily sent to the new members was out of date, it should be revised. As a result, this Committee undertook its revision which has now been completed. This proposed new brochure has now been placed in the hands of the Executive Board which is considering publication. It is the recommendation of this Committee that this brochure be published as soon as possible so that the next Committee may make use of it immediately.

Respectfully submitted,

Ernest H. Breuer

Anne Brown

Libby F. Jessup

Cyril L. McDermott

Lillian C. McLaurin

Richard W. Neal

Helen A. Snook

Erwin C. Surrency, *Chairman*

### COMMITTEE ON PLACEMENT

Since the time of its last report, your Committee has been asked to assist in locating personnel to fill forty-seven openings in law libraries. As this is written, thirty of the forty-seven had been filled, thirteen through regular Committee procedures and the balance through local contact by persons who had not filed with the Committee.

Whenever possible, the Committee continues its policy of selecting, on an impersonal basis, those personnel records which seem to fit the requirements of the position, and forwarding them without recommendations to inquiring employers. The Committee feels that recommendations should come from those who are named on the personnel blanks as references, and then only if the employer requests them.

This policy of impersonal selection and suggestion was adopted because the Committee feels that it can lead to greater service for more members of the law library pro-

fession. It now must be tempered with occasional personal suggestions from individual Committee members, for the sole reason that the Committee's present listing of personnel does not provide a substantial cross-section of the country's potentially available law librarians. This defect will not be cured until all of our members realize that filing with the Placement Committee is not a job application, but only a recording of one's qualifications and a statement of the circumstances under which one might be interested in a new position, and until our more competent and contented law librarians realize that they may file personnel blanks which state those circumstances in terms assuring their being considered only for positions attractive enough to offer them even greater contentment.

Respectfully submitted,

Jean Ashman  
Robert J. Everson  
C. Robert Gibbs  
Robert W. Lewis  
Julius J. Marke  
Beatrice S. McDermott  
Elaine Teigler  
Marian G. Gallagher, *Chairman*

#### COMMITTEE ON PUBLICATIONS

As its initial project the Committee has undertaken the preparation of an annotated bibliography of law library techniques literature. The bibliography will include books and articles of substantial content on techniques such as Accessioning and Counting Methods, Bibliography and Checklist Compilation, Binding and Repair, Films and Pamphlets, Book Selection and Ordering and Cataloging. The sources from which the bibliography is being compiled are the *Law Library Journal*, *Library Literature* and the *Cumulative Book Index*, 1940 forward.

A considerable portion of the work has been completed and it is anticipated that the bibliography will be published in the forthcoming fall. It is the hope of the Committee that it may be deemed feasible to publish the bibliography in the *Journal*. In undertaking the bibliography it was the thought of the Committee that this might be the first in a series of practical handbooks for the use of the profession. The matter of publications as separates, however, will be the subject of

later consideration and recommendation by the Committee to the Board.

Respectfully submitted,

Joseph L. Andrews  
Ruth Corry  
Frank DiCanio  
Elizabeth Finley  
Betty LeBus  
Frances Farmer, *Chairman*

#### COMMITTEE ON PUBLICITY

The work of the Committee was divided into two areas of responsibility. The chairman and Mr. Skinner devoted attention to publicizing the annual meeting and Mr. Sprudz was designated press representative to handle all other matters.

For the annual meeting, press releases were transmitted to the major press and wire services, selected newspapers and a majority of the library periodicals indexed in *Library Literature*. Arrangements were again made with the West Publishing Company to carry notices of the annual meeting on the covers of the advance sheets of the *National Reporter System*.

Mr. Sprudz commenced his work as press representative in August 1957. From September 1 to April 15, nine news stories were released to 35 selected publications. The Associated Court and Commercial Newspapers, a news agency serving a group of legal newspapers in the country, has carried items based on AALL press releases on four occasions. Several editors have requested that their names be placed on our mailing list. A recent spot check reveals that our press releases have been published in at least 21 instances.

Respectfully submitted,

George Skinner  
Adolf Sprudz  
Mortimer Schwartz, *Chairman*

#### COMMITTEE ON SCHOLARSHIPS

The Scholarship Committee has made the following selections for awards from thirteen applicants: *Miles O. Price Scholarship* (\$150.00)—Robert Cryder, Assistant Law Librarian, University of Illinois, Urbana, Illinois; *Matthew Bender Scholarships* (Four \$100.00 awards)—Myron Fink, Circulation Librarian, U.C.L.A. Law Library, Los Angeles, California; James Henneghan, Assistant Law

Librarian, St. John's University, Brooklyn, New York; Shirley Raissi, Law Librarian, University of Connecticut, Hartford, Connecticut; and Rebecca Schlam, Cataloger, New Jersey State Library, Trenton, New Jersey; *Sidney Hill Scholarships* (Two \$100.00 awards)—Wilson Cutliff, Law Librarian, South Carolina State College, Orangeburg, South Carolina and Lois Peterson, Assistant Librarian, Social Law Library, Boston, Massachusetts.

Since the announcement of the Oceana Scholarship of \$125.00 for a foreign law librarian was received so late, additional time has been granted this Committee to select a winner for this award. This winner will be selected by May 15, 1958, and will be sent to the Secretary to be added to this report.

Respectfully submitted,

Harold J. Bowen  
Virginia Knox  
Ethel Kommes  
Sara Leverette  
Eda Zwinggi  
Hibernia Turbeville, *Chairman*

# JOINT COMMITTEE ON COOPERATION BETWEEN THE ASSOCIATION OF AMERICAN LAW SCHOOLS AND THE AMERICAN ASSOCIATION OF LAW LIBRARIES

The Committee met in December 1956 in Chicago and again in June 1957 in Colorado Springs when the AALL held its annual meeting. A quorum was present at each meeting.

At the December meeting the list of texts to be suggested and recommended by the Special Committee on Library Collections was discussed. The Special Committee was created by the AALS in 1952 to formulate recommendations for applicant schools as to the minimum essentials for 20,000 and 30,000 volume libraries. None of the members of this Committee who were present in Chicago had seen a copy of the projected list of suggested texts, the reason being that the present list is in tentative form and not available for general distribution. The other recommended lists have been published and may be found in 1954 *AALS Proceedings* 134. The chairman of this Committee was charged with procuring a copy of the list of texts, and reporting his findings to the Committee. The

list has been carefully studied by the chairman who finds it a worthwhile project and one which should be completed. This Committee recommends that the Special Committee on Library Collections with the same membership of 1952 be reactivated and asked to complete the task. Since the list of texts is exceedingly more difficult to formulate than those already published, it is suggested that the entire Special Committee should work on it and the task be not delegated to any one member, thereby utilizing the cumulative experience of the entire membership.

Requests have been received by the Committee to consider the upward revision of the Standards III-2(b) on the Law Library Staff. The Committee once before considered the upward revision of the Standards for a Law Library Staff (1954 *AALS Proceedings* 91). However, this Committee recommends that consideration of the upward revision of the Standards pertaining to the Law Library Staff be postponed until the "Inquiry into the Anatomy of Modern University Legal Education in the U. S." is completed and its results published. The Inquiry is being conducted by the Committee on Law School Administration and University Relations. This Committee offered its services and assistance to the Administration Committee to the end of furthering the gathering of information pertaining to the law school library administration portion of the Inquiry. It is still ready to give assistance. When the Inquiry is completed and published and an upward revision of the Standards is indicated or deemed advisable, this Committee should be assigned the task.

Respectfully submitted,

Edward S. Bade  
Stanley J. Bougas  
A. Mercer Daniel  
Bernita J. Davies  
Vincent E. Fiordalisi  
Marian G. Gallagher  
William Jeffrey  
Philip A. Putnam  
William R. Roalfe  
Bertha M. Rothe  
Austin W. Scott, Jr.  
Louis Piacenza, *Chairman*

# REPRESENTATIVE ON THE ALA COUNCIL

While representation on the ALA Council, although on a non-voting basis, provides a

channel of communication which may at any time be useful, the function performed by the AALL Counselor is probably often not as vital as the functions performed by AALL members serving on joint committees, which are usually concerned with problems in which law librarians have an immediate interest. This has certainly been the situation during the last year. Consequently, there is no matter to which special attention need be called in this report nor is there any reason why one aspect rather than another of the far-flung activities of ALA should be brought to the attention of AALL members in this manner, particularly as items of interest appear from time to time in the *Law Library Journal*.

Respectfully submitted,  
William R. Roalf,  
AALL Representative

### REPRESENTATIVE ON THE JOINT COMMITTEE ON GOVERNMENT PUBLICATIONS

The membership of the Joint Committee for 1957-58 was the same as for the preceding years with Benjamin E. Powell, Duke University, as Chairman. During the year, the Committee changed from the status of an ALA joint committee to an independent joint committee to which ALA names a representative. The Special Libraries Association has discontinued its representation on the Committee.

The Committee met in January in Chicago during the ALA Midwinter Meeting and discussed questions relating to the Documents Expediting Project with Mr. Alton H. Keller, Chief, Gift and Exchange Division, Library of Congress, and Miss Shirley Bystrom, Documents Expediter. Your representative again suggested expanding the scope of the Committee and has kept in touch with the Chairman concerning this suggestion. Created in 1943 to consider all pertinent problems relating to the acquisition and distribution of public documents, the Committee at present merely directs the Documents Expediting Project. If the program of the Committee cannot be expanded, your representative would recommend discontinuing the AALL representation.

The problem of the Federal Depository Library System, which had been outlined by your representative in earlier reports, was actively pursued during the year. Hearings

on H.R.9186, the bill to amend the laws relating to depository libraries, were held in the fall in Chicago, San Francisco, New Orleans and Boston. These Hearings served as the basis for modifying H.R.9186. Further Hearings on the modified bill (H.R.11042) will be held in 1958. Your representative attended the Hearings in Chicago and joined with other librarians in a statement which emphasized the advisability of further liberalizing depository legislation.

Respectfully submitted,  
Kurt Schwerin,  
AALL Representative

### REPRESENTATIVE ON THE JOINT COMMITTEE ON THE UNION LIST OF SERIALS

The Joint Committee has not met during the past year. As previously announced, the Committee has incorporated, and the Chairman, Mr. Andrew D. Osborn, has been actively engaged in a search for funds to support the Committee's permanent program for the *Union List of Serials*. Possibilities of securing grants were explored with the Council on Library Resources and the National Science Foundation. The Committee will meet, as soon as there are favorable developments, to work out plans for collecting the information on serial holdings and establishing a permanent record of these holdings at the Library of Congress.

Respectfully submitted,  
Bertha M. Rothe  
AALL Representative

### REPORTER ON THE DESCRIPTIVE RULES FOR LAW CATALOGING

In his dual capacity as AALL representative in matters of ALA catalog code revision and as a member of the ALA Catalog Code Revision Subcommittee on Law and Legal Headings, the Reporter attended the meetings of the ALA Code Revision Steering Committee during the annual conference of the American Library Association in 1957 and during its midwinter meeting in 1958 and participated in the discussions of the Steering Committee at its meeting in Washington on December 8-9, 1957. The Subcommittee on Law and Legal Headings, under the

chairmanship of Alex Ladenson of the Chicago Public Library, met during the ALA midwinter meeting, with Miss Benyon, Miss Carleton, and the Reporter in attendance. The deliberations, as far as relevant to the AALL recommendations adopted in 1954, centered around problems of entry under form heading, specifically, entries for statutes, laws of dependent jurisdictions, local laws and ordinances, and treaties.

As for the Reporter's assignment to formulate law cataloging rules in accordance with the 1954 recommendations, it is recommended that it be held further in abeyance, contingent upon the outcome of the ALA code revision and a decision as to the adequacy of the revised ALA rules in meeting the needs of law libraries in the light of the AALL recommendations. Because of the incomplete status of the present ALA draft rules and the resulting impossibility to judge the effects of some of the principles advanced therein on materials not dealt with, and in view of the continued discussion of the draft within ALA, it is recommended that no action on the draft be taken at this time, and that the Reporter continue his discussions with ALA and refer unresolved conflicts between revised ALA rules and AALL recommendations to the Committee on Cataloging and Classification.

Respectfully submitted,

Werner B. Ellinger

Reporter on the Descriptive  
Rules for Law Cataloging

### REPRESENTATIVE ON THE CNLA JOINT COMMITTEE ON EDUCATION FOR LIBRARIANSHIP

The Joint Committee on Education for Librarianship met twice during the past year. Your representative attended both meetings.

The Joint Committee has tentatively approved proposed curricula for education of librarians in the special fields of agriculture, art, architecture, map, theological (Protestant), and theological (Catholic) librarianship. Upon final approval, these curricula will probably be published in the *Library Quarterly*. It will be recalled that the Joint Committee arranged for the publication of curricula in other fields of special librarianship in the January 1958 issue of the *Library*

*Quarterly*. These were on financial, law, science and technological, medical, music, theater, and journalism librarianship. Much work, thought, and experience are reflected in these reports and the Joint Committee is indeed serving an important purpose in the training for special librarianship by arranging for their authorship and publication.

The Joint Committee continues its interest in a national survey of library education. As indicated in my last report, the survey will be evaluative rather than descriptive and will attempt to arrive analytically at the ideal blueprint of the kinds of knowledge a well-qualified worker in each of the many fields of librarianship should have and then will attempt to outline a curricula which can be expected to impart that knowledge. This will be related to a clear and detailed analysis of the functions of the library as a social institution continuously adapting itself to social and cultural changes in relation to communications as a social process. With this background the survey will then estimate the number of library workers required to accomplish this purpose, consider problems of recruitment, and study the existing agencies of library education including physical facilities of the schools, faculty, and content of the undergraduate and graduate programs. The market for professional librarians will thus be clearly outlined.

The work of the Joint Committee on Education for Librarianship is of value to the library profession. It is recommended that representation of the AALL on it be continued.

Respectfully submitted,

Julius J. Marke

AALL Representative

### REPRESENTATIVE ON THE UNITED STATES BOOK EXCHANGE

The tenth annual meeting of the United States Book Exchange was held in the Wilson Room of the Library of Congress on March 14, 1958. After the introduction of Corporation and Board members and guests, a word of welcome was extended by L. Quincy Mumford, Librarian of Congress.

Edward N. Waters, President, U. S. Book Exchange, conducted the meeting. After the reading of the minutes from the last annual meeting, the treasurer's report and the pres-



entation of the 1958 budget, the reports of the chairman of the Board of Directors and the Executive Director were given.

The space which the USBE now occupies in the basement of the Library of Congress is needed by the Library, and the USBE's chief problem is to find funds for new housing. Applications to both the Ford and Carnegie Foundations were answered negatively as being outside their spheres of activity. In January 1958 a request was submitted to the Kresge Foundation for \$490,000 for a building and equipment, and to the Council on Library Resources for \$15,788. At the time of the meeting nothing definite had come of these requests.

Temporary housing has been rented in a warehouse in order to comply with the request of the Library of Congress that the USBE try to be moved as soon as possible, and some of their holdings have been moved to this location. Business has not been curtailed during this relocating.

Support from all participating members is asked in favorable public relations and tolerance in handling requests until the housing problem is finally solved.

The next annual meeting is to be held in March 1959, and it is suggested by Miss Alice D. Ball, Executive Director, and Mr. Waters that in the future representatives to the Corporation be appointed by the member associations for a period of two years so that they may be better acquainted with the function of USBE and can more actively participate in the meetings.

Respectfully submitted,  
Mrs. Ruth D. Burton for  
Howard Klemme,  
AALL Representative

#### **REPRESENTATIVE ON THE AMERICAN STANDARDS ASSOCIATION COMMITTEE PH5 —MICROREPRODUCTION**

One of the most important developments in the field of microreproduction has been in the direction of providing means for obtaining an original sized copy of a page of opaque microtext.

The first demonstration of such a device in library circles took place at the Midwinter Meeting of the American Library Association at Chicago, the week of January 27, 1958. The Readex Microprint Corpora-

tion had on display there and demonstrated a prototype model of a Reader combined with an Enlarger-Printer by which it was possible to obtain simply, quickly and at small cost an original sized copy of a page of opaque microtext. This machine, a combination of an American Optical Company Reader (with a mechanical card movement added) and the RCA Electrofax process, is not in production yet but will undergo a period of improvement and refinement before it is placed on the market.

Respectfully submitted,  
Joseph L. Andrews  
AALL Representative

#### **REPRESENTATIVE ON THE AMERICAN STANDARDS ASSOCIATION COMMITTEE Z39 —LIBRARY WORK AND DOCUMENTATION**

This Committee has been inactive.

Respectfully submitted,  
Edith L. Hary  
AALL Representative

#### **REPRESENTATIVE ON THE AMERICAN STANDARDS ASSOCIATION Z39 SUB-COMMITTEE ON INDEXING**

The Z39 Committee is sponsored by the Council of National Library Associations. The sub-committee was organized in May, 1956, for the purpose of preparing a standard for indexing. The sub-committee membership consisted of representatives of various library associations, publishing houses, and other groups interested in raising the standards of indexing.

The sub-committee has held eight meetings in which diverse types of indexes were discussed at length and the sub-committee endeavored to base its recommendations on the best known and accepted indexing practices.

A final report has been prepared and includes two bibliographies on indexing. The report is now in process of being submitted for acceptance to the Council of National Library Associations. As outlined in the Final Report, its aims and purposes are to: "Provide basic criteria for indexing books, periodicals, and other documentary materials. It in-



cludes a definition of an index, as well as certain observations about indexing procedure generally and the value of an index."

The importance of improved standards in indexing is and should be of prime interest to law librarians. The standard, when finally adopted, will be published in various library journals. It is recommended that representation by the American Association of Law Libraries be continued until the Final Report is accepted.

Respectfully submitted,

J. Myron Jacobstein  
AALL Representative

### REPRESENTATIVE ON THE CNLA JOINT COMMITTEE ON THE INDEXING OF STATE LAWS

The Joint Committee last met in Philadelphia on June 26, 1956. (50 *Law Library Journal* 293, 1957)

The National Legislative Conference, meeting in Seattle August 30, 1956, adopted a resolution praising the *State Law Index* as a useful research tool and authorized its Executive Committee to cooperate with other interested groups to bring about resumption of its publication as soon as possible.

A noble gesture indeed but only a small voice in the wilderness of disinterest of the American Bar Association and the apparent refusal of Congress to appropriate funds to resume publication.

Margaret Coonan and Kurt Schwerin were kind enough to make their files available in order that I could render a report on the present status of the *Index*.

Title 2, sections 164-165, U.S.C.A. (1957 P.P.), authorizes and directs the Librarian of Congress to prepare biennially an index to state legislation and authorizes an annual appropriation of \$30,000.

The American Bar Association and the Librarian of Congress have evidently lost interest in the *Index*. At budget hearings, the Congress has never been fully informed of the importance and necessity of the *Index* as a research tool and was misled by being told that the CCH *Index to Legislation* was better than the *State Law Index* and that lawyers did not use the *Index*. Congress saw no necessity for continuing its publication.

In view of the above, I must recommend that the Executive Board take necessary action to reactivate all interested groups to join

AALL in a concerted action to apprise the Congress of the true merits of the *Index* and to press for an appropriation for its continued publication.

After preparing this report, John C. Leary informed me that the American Bar Foundation has now authorized appointment of a committee to supervise the Foundation's project, "A Survey of State Statutory Laws." Mr. Leary feels certain that this committee will consider the interest of those who would like to see the *Index* resumed and recommends the appointment of a member of AALL to this committee.

Respectfully submitted,

Ernest Henry Breuer  
AALL Representative

### AALL PRESS REPRESENTATIVE

There is a general consensus that our Association and its activities deserve a higher degree of recognition from members of the legal profession and the general public. To achieve this a comprehensive and planned publicity program is needed which might include: (a) general planning and promotion of AALL publicity, (b) publicity for the annual meeting, and (c) continuous news reporting on the national, regional and local levels.

The first two aspects could be covered by the Publicity Committee and, for instance, would include promotion of articles about the AALL in publications of the legal profession, such as the article by William R. Roalfe which will appear in one of the forthcoming issues of *Case and Comment*.

The regular reporting of AALL news would be the task of the national and regional press representatives.

The national press representative would report on all activities and events of national importance. For this he would receive all pertinent information, promptly sent in by officers, committee chairmen and other members of the AALL, including copies of news bulletins published by chapters and individual libraries.

The regional press representatives would report to the local publications on the regional or local activities of their chapters and members. They would also assist the national press representative by sending him information of national significance and by helping to keep track of the material published.

On the basis of experience gained during the past year, it is recommended (1) that a national press representative and as many regional representatives as are deemed necessary be appointed; (2) that there be increased cooperation and support from the officers, committee chairmen and other members of the AALL through prompt submission of

pertinent news items; (3) that a collection of clippings of all materials published on the AALL be compiled and kept on file for historical purposes.

Respectfully submitted,

Adolf Sprudz

AALL Press Representative